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1847

Awards

Principles of the Land Commission.

When the Islands were conquered by Kamehameha I., he followed the Example of his predecessors, and divided out the lands among his principal Warrior Chiefs; retaining however a portion in his hands, to be Cultivated or managed by his own immediate Servants or attendants. Each principal Chief divided his Lands anew; and gave them out to an inferior order of Chiefs or persons of rank, by whom they were subdivided again and again, often passing through the hands of four, five or six persons, from the King down to the lowest class of tenants.

All these persons were Considered to have Rights in the lands, or the productions of them. The proportions of these Rights were not very clearly defined, but were nevertheless, universally acknowledged. The tenures were in one sense, feudal, but they were not military; for the claims of the superior on the inferior were mainly, either produce of the land, or for manual labor. Military service rarely or never being required of the lower orders. All Persons possessing landed property, whether superior or inferior Landlords, Tenants, or subtenants, owed & paid to the King, not only a land tax which he assessed at pleasure, but also service which was called for at discretion on all the grades, from the highest down. They also owed & paid, some portion of the productions of the land in addition to the yearly taxes. They owed obedience and friendship at all times. All these were rendered, not only by Natives, but also by Foreigners, who received lands from Kamehameha I. and Kamehameha II, and by multitudes still alive: of this there are multitudes of living witnesses and a failure to render any of these has always been Considered a just cause for which to forfeit the Lands. It is therefore certain that the tenure was far from being allodial either in principle or

or in practice. But even if living testimony were wanting, at the present time: the Treaty established in 1836 between this Government and Lord Edward Russell on behalf of the British Government, would shew the views then entertained on the subject, by both contracting Parties. It is there declared: "The land on which the houses are built, is the property of the King."

The same rights which the King possessed over the Superior Landlords, and all under them, - the several grades of Landlords possessed over their inferiors, so that there was a joint ownership of the land - the King really owning the allodium; and the person in whose hands he placed the land holding it in trust. But when he put it in the hands of a third person, then that third person bore a similar relation to him that he did to the King. The Superior always had the power at pleasure to dispossess his inferiors, but it was not considered just and right to do it, without cause, and dispossession did not often take place, except on the decease of one of the Landlords; when changes were often numerous, and the rights of heirs and tenants comparatively disregarded, for the purpose of favoring a new class of persons.

Such was the nature of the tenures; and such the title by which the lands were held, when in 1839 protection was declared both for person and property in the following words - "Protection is hereby secured to the persons of all the people, together with their lands, their building lots, and all their property." (See declaration of Rights, page 10 of translation.) In section 6 of the same act page 33 the nature of the protection given to landed property is in some degree defined. It is there stated that the Landlord cannot "cause to be dispossessed a tenant," and it is also stated what shall be considered a sufficient cause. The same law confirms what has been already stated, in relation to the rights of Her Majesty, the King in all lands. Section 3rd requires that every tenant of land by whosoever owned, shall work 36 days in a year for the King or government - shewing clearly that there is no individual who has an allodial title to the soil, that title remaining with the King.

It seems plain then, and obviously just

that the King, in disposing of the allodium, should offer it first to the superior Lord: that is to the person who originally received the land in trust from the King; since by doing so, no injury is inflicted on any of the inferior lords or tenants; they being protected by law in their rights as before; and most obviously the King cannot dispose of the allodium to any other person, without infringing the rights of the superior Lord. But even when such Lord shall have received an allodial title from the King by purchase or otherwise; the rights of the Tenants and Subtenants must still remain unaffected; for no purchase, even from the Sovereign himself, can vitiate the rights of third parties.

The Lord therefore who purchases the allodium, can no more seize on the rights of the Tenants, and dispossess them, than the King can now seize upon the rights of the Lords, and dispossess them. This appears clear, not only from the first principles of Justice, but also from the act of 1839 declaring protection for Tenants as well as for Landlords.

That Act particularly recognizes but three classes of persons, as having rights in the soil - viz the King or Government 2nd The Landlords, and 3rd The Tenants. Indeed Section 9th Chap 3rd of that Statute positively forbids the Lord who receives land in trust from the King, to place another Lord under himself over the tenants.

If then any Landlord violate this law, he only divides his own rights, he can not thereby diminish the rights of the King or Government, nor the rights of the Tenants.

All being thus fully established, that there are three, and but three classes of persons having vested rights in the Lands 1st The Government 2nd The Landlord and 3rd the Tenant; - it next becomes necessary to ascertain the portional rights of each. Happily, evidence on this point not wanting; though it may be the most difficult one to settle satisfactorily, of any connected with land claims. The testimony elicited is of the best and highest kind. It has been given incidentally by a large number of persons of a great variety of character, many of them old men, perfectly acquainted with the ancient usages of the Country, some were Landlords, and some were Tenants. There has been no contradictory testimony, but all have agreed on al

essential points. Several Foreign Land-holders under Kamehameha I Kamehameha II and Kamehameha III have been full in their testimony as to the rights of the King. Ancient practice according to testimony seems to have awarded to the Tenant, less than justice and equity would demand, and to have given to the King more, than the permanent good of his Subjects would allow. If the King be disposed voluntarily to yield to the tenant, a portion of what practice has given to himself; he most surely has a right to do it; and should the King allow to the Landlord one third, to the Tenant, one third, and retain one third himself; - he, according to the uniform opinions of the Witnesses, would injure no one, unless himself; and in giving this opinion, the Witnesses uniformly give it against their own interest.

According to this principle, a tract of land now in the hands of a Landlord, and occupied by tenants; - if all parts of it were equally valuable, might be divided into three parts, and an allodial title to one third, be given to the Lord; and the same title be given to the tenants of one third; and the other third would remain in the hands of the King, as his proportional right.

It is altogether probable, that since the act of 1839, a few individuals may have acquired allodial ownership of landed property; either by purchase or voluntary grant, on the part of the King. Such ownership must be proved or it cannot be acknowledged; for the King representing the Government, having formerly been the sole owner of the soil, he must be considered to be so still, unless proof be rendered to the contrary, and even possession of ever so long standing, cannot be proof of any thing more than that which is specified above as belonging to the Landlord, or to the Landlord and Tenant, as the case may be.

All the above principles and remarks apply most particularly and clearly to Districts, Plantations, and Farms, and to their Owners. But between the Ownership of Lands for cultivation and mere building lots, there are often broad lines of distinction. Mere building lots were never bestowed by the King or Lords, for the purpose

of being given out to tenants. as was uniformly the case with lands suitable for cultivation. It follows therefore (that with some exceptions, which in all cases must be proved) in relation to building lots, there is no third class of Persons having the rights of Lord over Tenants. The exceptions would be in those cases, where individuals, having received building lots from the King for their own particular use, these individuals have themselves for some consideration expressed or implied, transferred such lots to third Parties.

Another exception exists in relation to building lots, especially if large, which were formerly within the defined boundaries of plantations and farms, and have since been occupied by persons owning no rights in the farm, other than the building lot. Such lots must still be considered as a part of the plantation or farm, in such a sense, that the Tenant must pay rent to the Lord.

This appears clearly, not only from ancient usage, but also from the last clause of Sect. 1st Chap. 3rd of the laws— "But possessors of house lots not of large size farm gardens, must aid the owners of the farms in which they were taken, in payment of the yearly tax."

Although the above facts and principles are most perfectly clear and unquestionable, yet great evils have existed down to the present moment owing mainly to the circumstance, that several different classes of persons had undivided rights in the same land, and each class was very liable to claim more than the due proportion. In such cases, Lords, or persons of superior power or rank, have generally been the oppressors; and perhaps there are none of those classes from the Throne down, who have not sometime taken advantage of the power of office in these respects. Neither the laws of 1839 nor of 1841 were found adequate to protect the inferior Lords & Tenants. For although the violators of law of every rank, were liable to its penalty, yet it was so contrary to ancient usage to execute the law, on the powerful for the protection of the weak, that the latter often suffered; and it was found necessary to adopt a new system for ascertain-

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rights, and new measures for protecting those rights, when ascertained: and to accomplish this object, the Land Commission was formed.

The decisions of an executive Board would be so far, surrenders of the Chief Executive Magistrate who has approved the powers conferred upon that Board, as to be an authorization from him to adjust all the past tenures in the manner most equitable; and if abstractly just, power to alienate for him, any rights which he, as King, could surrender in regard to those lands.

The whole power of the King to confer and convey lands to which private equitable claim now attaches, is reposed in the Commission. What is the nature and extent of that power which the King has bestowed upon this Board? It can be no other than his private or feudatory right as an individual participant in the ownership; not his sovereign prerogative as head of the Nation. Among these prerogatives which affect Lands, are the following.

Ist To punish [illegible] Treason by forfeiture, if so the law decrees.

IInd To levy taxes upon every tax yielding basis, and among others, lands; if so the law decrees.

IIIrd To encourage, and even enforce the usufruct of lands for the common good.

IVth To provide public thoroughfares and easements, by means of Roads, Bridges, Streets &c. for the common good.

Vth To resume certain lands upon just compensation assessed if for any cause, the Public good, or the social safety requires it.

These Prerogatives, powers, and duties, His Majesty ought not, and he can not surrender. Hence the following confirmations of the Board, and the Titles consequent upon them, must be understood subject to these conditions.

But the Kings private or feudatory rights understood by the Natives, differ greatly from the above enumerated Corporate rights, understood in civilized and refined Nations, and in which the Commonwealth is

rather represented by the Person of the Monarch, than the Monarch himself. By the ancient usage, the taxes went not to the body corporate in trust for political uses; but to the King as his private revenue or income, and thus gave him a private proprietorship in all Lands. This Autocracy was however, diminished by the Kings liberal and voluntary surrender to his people in the Constitution 8th October 1840, in which the Government or Body politic and the King are for the first time, Contradistinguished as follows "He (the King) also shall have the "direction of the Government Property; the poll tax - the land "tax - the three days monthly labour; though in Conformity to "the laws. He also shall retain his own private lands, and "lands forfeited for the non payment of taxes shall revert to him" in which clause is clearly perceivable, the line of distinction above adverted to. All that is essential to the Common good in regard to lands, taxes on lands, and revenue from lands is supposed in the King, as the Head of a Corporation aggregate or as himself a corporation sole; and for these contra is distinguished "his own private lands."

In the spirit of this Constitution a distinction on the 7th June 1839, the Nobles, with the sanction of the King passed some ordinances or rules, respecting applications for "Farms, forsaking of Farms, disposing of Farms, and the "management of Farms," having in view the encouragement of Industry. In these, the Landlords are recognized as a distinct and independant Class of local proprietors, over such portions of their lands, as are actually in cultivation; subject to the claims of their tenantry; and as to those lands, not in actual use, it gives a community of ownership between the Government and the Landlords, by saying: "Those men who have no land "not even a garden, nor any place to cultivate; and yet wish "to labour for the purpose of obtaining the object of their desires, "may apply to the Land Agent, or the Governor, or the King, "for any piece of land which is not already cultivated by "another person; and such piece shall be given him."

This appropriation was to be with cooperation of the King and the Landlords. In like manner the Corporate right is recognized in what the same Law declares respecting

the "Residuum lands", and "respecting Landlords".

Yet the principle of Suzerainiship seems to have followed the King in those lands, which are otherwise declared to be the proper possession of the Landlords; - for the "Advice to the Governors and Landlords," commences with - "It shall be the duty "of those to whom the King gives lands, to see that they do not "establish other Landlords under themselves, but over the people." and in the 18th section, Landlords are cautioned lest they "be dispossessed according to the principles of the eleventh section which makes the Landlords right of possession dependant upon Industry and intelligence.

It would thus seem inferrable, that as late as the 7th June 1839 and before the Constitution was given, the Chiefs considered themselves tenants at special Will of the King, as the head of the Nation, or in his Corporate right. Also that, that Corporate right to dispossess them was only to be exercised for causes of a public nature: as ignorance, want of prof[illegible], industry, and evils of that nature, inconsistent with the [illegible]. To suppose that the Landlords could be dispossessed lawfully by the King at will, for causes of private pique, or because of personal disfavor, would be to make the King the real or intrinsic Owner of the Land in his individual Capacity; - a doctrine, neither sustained by the Current of past legislation; nor the testimony which has already been elicited by the Board.

But to recognize his right of forfeiting the lands of the Landlords for misuser or non user, or for crime, is itself a recognition, beneficial to the mass of the People, for whose happiness the Corporation is instituted.

The Hawaiian Rulers have learned by experience, that regard must be had to the immutable law of Property in things real as Lands, and in things personal as Chattels - that the well being of their Country must essentially depend upon the proper development of their internal resources; of which Land is the principal; and that in order to its proper cultivation and improvement, the holder must have some stake in it, more solid than the bare permission to evolve his daily bread from an article, to which he and his

Children can lay no intrinsic claim. They perceive by contact with foreign nations, that such is their uniform practice; and that the rules of right under that practice are continually contended for; understood, and likely to be applied in regard to the lands otherwise held at their hands by a tenancy incomprehensible to the foreigner. They are desirous to conform themselves in the main, to such a civilized state of things, now that they have come to be a Nation in the understanding of older and more enlightened Governments.

Such We, the Commissioners understand to have been the reason of the distinction in the Constitution of 1840, between Government Lands and Private lands of the King; and such we now understand to be the spirit of Article 4th. of Chapter 7th. of the first part of the Act to organize the Executive departments of the Hawaiian Islands. Founded upon the Law Report of May 21st. 1845; in which it was recommended - "to prepare his Majesty's Government to consort in some measure with the reconvening powers". In consequence it was enacted. That the King is to appoint five Commissioners for quieting Land titles and thus confer upon them all his private and public power over the Corporate property in lands claimed by private parties, which in the nature of things he can delegate.

The requisition to appoint such a Board is found in the 4th Article of the 7th Chapter of the 1st Part of an Act of the legislature, passed on the 10th of December 1845, which took effect on the 7th of February following. The Statute, of which the said article is a part; is as a whole, denominated - "An Act to organize the Executive departments" indicating, that the decisions of the Board are not purely judicial, but executive adjudications. The act, as a whole in five parts, passed its final reading, and received the authentication of his Majesty on the 27th of April 1846. and was promulgated on the 20th of June following.

The Board of Commissioners thus instituted, was organized in strict conformity with the Law, which having taken effect on Saturday, the 7th of February, the Minister of the Interior, on Monday the 9th in Privy Council

with the approval of his Majesty, appointed & Commissioned the undersigned; who at the same time, in the presence of the King and Council, took and subscribed the following oath of office.

" We, and each of us do solemnly swear that we will
" carefully and impartially investigate all claims to Land
" submitted to us by private parties against the Government
" of the Hawaiian Islands; and that we will equitably
" adjudge upon the title, tenure, duration, and quantity
" thereof, according to the terms of Article 4th of the 7th Chap-
" ter of the first part of an act Entitled - "An Act to organize
" the executive departments of the Hawaiian Islands,
" passed at Honolulu 10th day of December 1845.

" Wm Richards
" John Ricord
" L. H. Kanehoa
" John Ii
" Z Kaauwai "

" Subscribed and sworn to
" this 9th day of February 1846
" Before me John Young
" "Minister of the Interior"

On the 11th of February, the day following their appointment, the Commissioners organized as follows:

Notice

" At a meeting of the Board of Commissioners appointed
" to quiet Land Titles, having in view, the proper organiz-
" ation required and allowed by Article 4th of Chap: 7 of
" the first part of an Act Entitled - " an act to organize the
" executive departments of the Hawaiian Islands."

The members of said Board being convened it was,

" Resolved. 1st That William Richards Esqr be, and
" he is hereby chosen as President.
" 2nd That Joseph Henry Smith Esq be employed as one of our
" stated Secretaries, at a Compensation to be hereafter de-
" termined, derivable solely from the fees & perquisites
" resulting to Government from the labours of the Board
" 3rd That said Secretary be duly sworn to fidelity
" in the discharge of his duties as such. That he be, and
" is hereby authorized to receive claims and Evidences for
" our after consideration, from and after the first publication
" hereof: that he be required to endorse upon each claim

the day & hour of its receipt by him. That he keep an office at Hale Kauwila in Honolulu, for the transaction of his duties, and for the facility of Claimants; and that he be charged with keeping the Minutes of this Board, and of its proceedings upon claims.

4th. That Claims submitted for settlement be taken up and acted upon, according to the order of their presentations, and be settled according to order taken in each case by a Majority in number of this Board.

5th That the stated meetings of this Board be held on Wednesday of each Week, commencing at 9 o'c. A.M. at the said office at Hale Kauwila in Honolulu, for the transaction of business— the first meeting to be held on the 4th day of March next.

6th That these Resolutions be published in the Polynesian, Newspaper concurrently with the Notice to Claimants required by law; to the end that they may be apprized of these By-laws established by the Board.

"Done at Honolulu this 11th
" day of February A.D. 1846.
" William Richards.
" John Ricord
" L. G. Kanehoa
" John Ii
" L Kaauwai.

Which resolutions were published in the Polynesian of 14th of February 1846, together with the following Notice required by law.

"To all Claimants of Land in the Hawaiian Islands.

The undersigned have been appointed by his Majesty the King a Board of Commissioners to investigate, & confirm or reject all claims to land arising previously to the 10th day of December A.D. 1845.

Patents in fee simple, or Leases for terms of years will be issued to those entitled to the same; upon the Report which we are authorized to make by the testimony presented to us. The Board holds its stated Meetings weekly at Hale Nauwila, Honolulu, Island of Oahu, to hear the Parties, or their Counsel, in defence of their Claims; and is

" prepared every day to receive in writing, the claims & evidences
" of title, which parties may have to offer at the office of Joseph
" Henry Smith Esq^r Secretary of said Board at Hale Kauwila in
" Honolulu, between the hours of 9 o'Cl. A.M. and 3 o'Cl. P.M.
" All Persons are required to file with the Board by
" depositing with its Secretary, specifications of their claims
" to land; and to adduce the evidence upon which they claim
" title to any land in the Hawaiian Islands, before the ex-
" piration of two Years from this date, or on default of so
" doing, they will after that time, be forever barred of all
" right to recover the same in the Courts of Justice.
" Dated 11th day of February 1846

" Wm Richards
" John Ricord
" L. L. Kanehoa
" John Ii
" L. Kaauwai

1st The field of the Commissioners is "the investigation and
" final ascertainment & rejection of all claims of private indi-
" viduals, whether Natives or Foreigners, to any landed Property
" acquired anterior to the passage of the act of which article 4th
" is an integral portion, to wit 27th April 1846.

2nd The more minute powers of the Board for purposes of organization, and to carry out these objects, are specified, and conferred, as the power to meet and adjourn, to appoint clerks, to summon parties, and enforce mandates, to administer oaths, and to issue Commissions for taking testimony.

These are auxiliary to the powers and objects of the Board respecting Land titles, which it is created to confirm or reject definitively.

" 3rd The principles by which the Board are to be governed in
" deciding certain questions (ie) "Prescription, occupancy,
" fixtures, native usages in regard to landed tenures, water
" privileges and rights of Piscary, the rights of Women, the
" rights of absentees, tenancy and subtenancy, primogeniture
" and rights of adoption" are to be those "Established by the
" civil Code of the Kingdom," which the general provisions of
the act to organize the executive departments Section 3rd

defines as follows: "Until the passage of the civil code, the principles
" of the foregoing act, and the prescriptions of all the civil statutes
" now existing, not at conflict therewith, shall serve & be binding
" as a civil code for this Kingdom; of which the Courts of Justice
" shall take notice in administering the rights to which they are
" applicable."

A wide latitude is thus left to the Commissioners who must in passing upon the merits of each claim, first elicit from creditable Witnesses, the facts or history of each; and thus assort or reconcile those facts to the provisions of the civil code, whenever there is a principle in past legislation applicable to the point under consideration, but when no such principle exists they may judicially declare one in accordance with ancient usage and not at conflict with any existing law, nor at variance with the facts, and altogether equitable and liberal.

4th From the fact that His Majesty, the intrinsic Proprietor has reposed in this Board such power of confirming or rejecting, the Commissioners must infer that he intended the utmost liberality to prevail towards the Claimants, rather against the pecuniary interests of the Body politic, than against those of the Claimants = But

5th The Commissioners do not understand that in virtue of such latitude, they are at liberty to disregard certain restrictions contained in the same act by the 4th Article of Chapter 7 of the 1st Part of which they are created. For the same legislature, by whose authority they exist, has elsewhere limited them as follows:

1st Aliens are not able to acquire any allodial or fee-simple estate in lands.

2nd No leasehold Estate shall be considered validly acquired by any alien "Until he shall have obtained a certificate of nationality, as in this" the first article of Chapter 5 required.

6th The Commissioners are only authorized by the act to ascertain the Claimants kind and amount of title, and to award Grants against that title "wholly or in part." They are not authorized to grant Leases or Patents, nor to receive the Commutation allowed by Section 10th Let since the Govern-

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share in the land confirmed, has intimate connection with the amount of the Claimants title, the Commissioners must ascertain and report upon that share, for the guidance and information of the Minister of the Interior.

7th Connected with the claims for land is the configuration and superficial Content, without the ascertainment and demarkation of which, it were impossible to make an award, or to quiet the title as between neighbouring Proprietors. The Board is therefore under the necessity of causing each piece of land to be surveyed at the Claimants expense before awarding upon it. This is clearly contemplated by the 12th section of the law - among the "expences incidental to the proposed investigation."

The following benefits will result from these investigations and awards.

1st They will seperate the rights of the King & Government hitherto blended, and leave the owner, whether in fee or for life, or for years, to the free agency and independent proprietorship of his lands as confirmed.

So long as the Government or King continue to have an undivided proprietory share in the domain, the Kings & Premiers consent is necessary by the old law to real sales, or transfers from Party to Party; and by parity of reasoning to real mortgages also. This is because of the share which Government or the Body politic has in the lands of the Kingdom uniformly. To seperate these rights; and disembarrass the owner, or temporary Possessor from this clog upon his free agency, is beneficial to that proprietor in the highest degree, and also to the Body politic: for it not only sets apart definitely what belongs to the Claimant, but untying his hands, enables him to use his property more freely, by mortgageing it for commercial objects, and by building upon it with the definite prospect that it will descend to his heirs. This will tend more rapidly to an export and to a permanency of Commercial Relations, without which there can never be such a revenue as to enable Government to foster its internal improvements. 2nd The Patents or Leases given to the Claimants

are for certain fixed and ascertained extents or dimensions of land. This must prevent after litigation in regard to boundaries. All parties having been cited before awarding, there can be no counter claims to the same piece of land after award, except on appeal; and such appeal cannot be taken except by a party who has presented his claims to the Board. The Patents and Leases are recorded in duplicate in the Department of the Interior. This will enable the foundation of every ones right to be known to the Government and enquiring parties. No pretended ownerships can exist without the means of undeceiving the Public in regard to them. Subsequent Purchasers and Mortgagees need not be in ignorance of prior defects in the title, or of prior incumbrances.

The undersigned deem the foregoing prefatory remarks and explanations necessary to a clear understanding of the awards upon which they are about to enter, and indispensable to which awards, it is necessary to lay down the following general principles to which they have arrived, by critical study of the Civil code, and careful examination of numerous witnesses; among whom are some of the oldest Chiefs possessing large tracts of land, which equally with other lands, come under the adjudications of the Board, and under the principles here laid down.

The Chiefs so situated cannot have a personal interest in testifying to the facts leading to these principles; since they thereby clog their own rights, and become liable to pay the commutation to which the King and Government are entitled. Native Proprietors and foreign Residents are thus put upon the same footing in regard to their titles, in consistency with Article 2.nd of the Treaties concluded with Great Britain and France 26.th of March 1846.

1.st For the purposes of this Board in all cases where the land has been obtained from the King, or his authorized agent, without written voucher, anterior to the 7.th June 1839 the Board will enquire simply into the history of the derivation, and if the Land claimed has been continuously occupied, built upon, or otherwise improved since that time, without molestation, the Board will, in case no con-

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exist. between private Claimants, infer a Freehold, less than allodial.

2nd In all such cases as above specified, when there are counter claims to the same piece of land. the Board will confine their enquiry to, which of the Claimants has the best right to the Freehold, less than allodial.

3rd In all cases where the Land has been obtained from the King, or his authorized agent; or from any Governor, Chief, or pretended Proprietor, subsequently to the 7th of June 1839: the Board will strictly enquire into the right of the King, or Chief, or Landlord, to make such disposition of the land; and will confirm or reject according to the right of such Donor, Grantor, or Lessor: regardless of consideration occupancy, or after improvements.

4th In all cases where the Land has been legally and validly obtained from the lawful Proprietor by written grant, deed, or lease; the Board will construe the Claimants rights by the wording of the Instrument.

5th When rights were originally acquired either in writing or verbally, in a lawful manner, and from the bona fide owner, for a valid consideration or otherwise; and Lot were never occupied; or have not been occupied by such Claimant since the 7th of June 1839 - the Board will infer an absence of title. Especially in view of Sec: 6 Chap: 3rd old Law.

6th The share of Government or the Body Politic to be committed for, with the Minister of the Interior, by any confirmed Claimant, wishing to obtain a fee-simple title under Chap: 7 of part 1st of the act to organize the executive departments, — The Board understand, from the evidence adduced before them, to be one third part of the value of the land without improvements; which third part of unimproved value being paid by the Confirmed Claimant, should extinguish the private rights of the King in the land, and leave such Claimant an allodium, subject only to the corporate rights of the Body Politic, to be exersed by the King under authorization of the laws and through the agency of his Officers created by the Laws

The Board in asserting this principle, do not mean however to restrict the power of his Majesty in Privy Council to fix upon a less Commutation, under section 10th of the article creating this Board; and subject to present rights of Tenants if there be tenants on the land; for the King has no power to convey away the rights of individuals, without their Consent.

They deem it their duty to state the maximum value of the interest retained in all lands of the Kingdom at this date; which was never relinquished, and which the Government has never to this day, received any valuable Consideration for:- even from the private Chiefs from whom the Claimants derive.

Claimants cannot derive more than the original Proprietor had. Neither could the original Proprietors grant more than they had to the present Claimants. They had a possessory right under the Crown; equal to two-thirds undivided of the value of the land, provided there were no Tenants; and in consideration of the undivided third of the King, they paid an annual rent in produce of the soil and in service. The Foreign Claimants deriving from these, have not in all cases ceded the rent which was due from their Grantors, and have lost sight of the Corporate rights in their lands, pertaining originally to the Government

That Rent can be sold by the Minister of the Interior for, not exceeding one third the unimproved value of the land as aforesaid; which would divest the land so commuted for, of all interference, save that of the Community for the causes and in the way aforesaid.

7th The title of all Lands, whether rightfully or wrongfully claimed, either by Natives or Foreigners in the entire Kingdom, which shall not have been presented to this Board for adjudication, confirmation or rejection on or before the 14th day of February 1848 are declared to belong to this Government by section 8th of the article creating this Board. Parties who thus neglect to present their claims, do so in defiance of the Law, and cannot complain of the effect of their own disobedience.

Upon these Principles, the under-

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proceed to take up the Claims now before them; in the order of their Presentation.

Kaauwila House
August 20th. 1846.

William Richards
J. F. Rhodes
John Ricord
D. Kaauwai
Lorenzo.

Resolution of the Legislative Council.

The Principles adopted by the Board of Commissioners to quiet Land Titles under date of August 20th 1846 having been read before the Nobles and Representatives of the People, in Legislative Council assembled, and having been carefully considered, it was

Resolved That the same are hereby approved, and it is enacted, that from the date hereof, all claims for landed property in this Kingdom shall be tested by those Principles, and according to them be confirmed or rejected

Council House. Honolulu
October 26th. 1846.

I ka hanahila ana o Kamehameha I ma= luna o keia Pae Aina, hoomahuii oia i kona poe nua, a okioki i ka aina, a mahele i na lii kaua, koe nae ia ia kekahi; no kona poe ka= naka ponoi a me ka poe pili ia ia a na lakou i noho a mahi paha. Mahele hou iho la ke ka alii keia alii i kona mau aina iho, a haawi aku la i na kaukaualii, a me ka poe koikoi, a na la= kou i mahele hou, a elua a ekolu mahele hou ana paha, a lilo i kekahi, a nana aku i kekahi mea hou a nolaila, eha a elima a ono paha mea mai ke Alii mai a hiki i ka lopa malalo. Ua manaoia he kuleana ko keia poe a pau iloko o ka aina, a iloko o ka waiwai paha o ka aina Aole i hoaka= ka loa ia ko kela mea a me ko keia mea, aka, na akaka loa i na kanaka a pau he kuleana ko lakou a pau.

O kekahi ano o keia mau kuleana, na like me ko Europa i ka wa kahiko, aka, aole no ka noho koa ana wale no keia mau pono, no ka mea, aole i koi nui mai ka hakuaina i ka hoaaina e hele i ke kaua, eia kana i kii nui ai, o ka waiwai o ka aina, a i ka hana maoli paha. Aole i kii pine pine ia ka poe hoaaina malalo e hele i ke kaua. Ua ma naoia, he mea pono i ka poe mea aina a pau loa, na konohiki a me na hakuaina a me na hoaaina a me na lopa, he hookupu, a hookupu io no lakou i ke Alii no ka aina a auhau mai oia ia lakou e like me kona manao, a hana ia lakou i ka= na hana; a kauoha mai i na mea a pau loa e hana mai ka poe kiekie a i ka poe maahaa me ka manao ole i ke la kou alii ana, aole lakou i haawi aku i ka auhau o ka makahiki wale no; ke pono ia lakou ke haawi aku i kekahi waiwai

e aku o ka aina, a haawi io no lakou. Ua aie no hoi lakou a pau i ke Alii, i ke aloha a me ka lokomaikai.

Ua haawi io ia keia mau mea a pau loa, aole na na kanaka maoli wale no i haawi, o na haole no kekahi, ka poe i loaa ka aina no Kamehameha I, a no Kamehameha II; a nui loa ia poe e ola nei i keia manawa. Ina hoole ke kanaka i kekahi o keia mau mea, he hewa pono ia e hemo ai ka aina; pela ka manao.

Nolaila, ua akaka loa, aole loa he kuleana ia manawa ma ke ano Alodio, aole ma ka manao aole hoi ma ka hana ana. Ua nui loa na hoike no ia mea e ola ana i keia manawa. Aka, i nele i ka hoike maoli i keia wa, alaila maopopo loa ka manao o na aoao a elua, ma ke kenikahi i hanaia i ka makahiki 1836 i hanaia iwaena o keia Aupuni a me Lo Edward Russel ma ka aoao o Beritania, no ka mea, ua oleloia maloko o laila " O ka lepo malalo iho i kuleluiaii na hale no ke Alii ia "

O na pono a pau i pili i ke Alii ma-luna o na konohiki nui, a me na mea malalo o lakou, oia na pono o na konohiki nui maluna o na hoaaina o lakou, a me na lopa a pau i noho i ko lakou aina. Nolaila, me he poe hui. la lakou, a na pili ka aina ia lakou a pau Ke ano alodio ko ke Alii kuleana, a he noho hale ko ke alii konohiki. A i ka wa i haawi ai ko ke Alii konohiki i ka aina i ke konohiki hou, alaila, ua like ka pili ana o ke konohiki hou i ke konohiki mua, me ko ke konohiki mua pili ana i ke Alii, nolaila, kapa aku ke konohiki hope i ke konohiki mua " he Alii "

Aiki no i ka mea maluna ke lawe i ka aina o ka mea malalo ona, aka, aole i manaoia ke mea keu i ka pono a me ka pololei ke hana pela, ke loaa ole ke kumu, aole hoi i hana pinepinepinep

ke ano o ka noho ana, a me ia ke ano o na kuleana aina i ka makahiki 1839 i ka wa i kauia'i ke Kanawai hoomalu i ke kino a me ka waiwai o kanaka. Penei na hua." Ua hoomaluia ke kino o na kanaka a pau, a me ko lakou aina a me ko lakou waiwai a pau. E nana i ke Kumukanawai aoao elua.

Ma ka Pauku 6, o ka Mokuna 3 o na Kanawai kahiko ma ka aoao 25, na hoakakaia kekahi ano o ka hoomalu ana i ka aina. Ua olelo ia malaila "aole hoi na haku aina e pai wale i kona mau hoaaina" Ua hoakakaia mai no hoi ka hewa kupono ke pai, a koo iaio no. hoi ia haawi i na mea i olelo ia maluna no ka waiwai o ke Alii iloko o na aina a pau. Hoi mai ka Pauku 3 o ia Kanawai i na hoaaina a pau, o kela haku keia haku e hana i 36 la ma ka makahiki no ke Alii, a nolaila, na akaka aole haku i loaa ke kuleana aina ma ke ano alodio, aia no ia i ke Alii.

Nolaila, he mea kupono maoli, a he mea pololei no hoi i ka haawi ana o ke Alii i ke kuleana alodio, ke haawi i ke konohiki maluna, oia hoi ka mea i loaa mua ka aina na ke Alii mai, no ka mea, i ka hana ana pela, aole i hana ino ia na konohiki, a me na hoaaina malalo ona; ua hoomaluia lakou e ke Kanawai, e like me ka wa mamua. He mea akaka loa hoi ka hiki ole i ke Alii ke haawi aku i ke kuleana alodio ia hai, no ka mea, ina pela, ua nele ke konohiki mua. Aka, ina loaa i ke konohiki mua kona aina ma ke ano alodio, ma ke kuai, a ma ka haawi wale o ke Alii, ua mau no ke kuleana o na hoaaina, a me na kapa, no ka mea, aole nele kekahi mea e ae no ka hoolilo ana o ka Moi i kona iho. Nolaila, o ke konohiki i kuai me ke Alii a loaa kona aina ma ke ano alodio, ua hiki ole ia ia ke pai i ka poe malalo ona, e like me ka hiki ole i ke Alii i keia manawa ke pai i ke konohiki.

Ua maopopo keia i ka nana ana i ke kumu o ka pono, a ua akaka no hoi na ke Kanawai o 1839, i hoomalu pu i na hoaaina me na hakuaina.

Ma kela Kanawai, ekolu mea i hoakakaia ko lakou kuleana iloko o ka aina o ke Alii (o ke Aupuni hoi ia) a o na konohiki a me na hoaaina:

Ala ka Pauku 9 o ka Mokuna 5 o ia Kanawai, na papa maoli na konohiki i ai aina i ke Alii, aole e hoonoho i konohiki hou malalo o lakou, a maluna aku o na hoaaina. Nolaila, ina ei kekahi hakuaina maluna o keia Kanawai, na mahele oia i kona kuleana iho, aole e hiki ia ia ke hoemi i ke kuleana o ke Alii a me ke Aupuni, aole hoi i ke kuleana o na hoaaina.

Ua akaka loa hoi, ekolu wale no mea kuleana ma ka aina hookahi. 1. O ke Aupuni. 2. o na konohiki. 3 o na hoaaina, a nolaila, he mea nui ka hoakaka i ka nui o ko kekahi kuleana, a me ko kekahi. Aole kakou e nele i na hoike no keia mea; a he mea ia e pomaikai ai. Eia nae ka mea i oi aku ka pohihi mamua o na mea e ae o ka poe mea kuleana aina. O ka poe i hoike mai, he poe hoike pono. Ua nui loa ka poe i hoike wale mai, a ua nui ko lakou ano, he poe Elemakule kekahi poe, a ua ike maopopo lakou i na aoao kahiko o keia aina; he poe konohiki kekahi, a he poe hoaaina kekahi. Aole kuee kekahi hoike i kekahi, ua like no ma na mea nui a pau. O kekahi poe konohiki hale malalo o Kamehameha I, Kamehameha II a me Kamehameha III, ua akaka loa ka lakou olelo hoike no ke kuleana oiaio o ke Alii I ka hoolohe ana i ka na hoike, ua haawiia i ka wa kahiko i ke kuleana nui i ke Alii, a oi aku kona mamua o ka pono io, a hoemiia ko ka hoaaina a poino oia. Ina oluolu wale ke Alii i ka haawi maoli aku i na hoaaina i kekahi pono i pili ia ia mamua he pono no ia ia ke hana pela. A ina haawi ke Alii i ka hapakolu i ke konohiki a he hapakolu i ka hoaaina, a koe ia ia kekahi hapakolu; ina pela, aole ia e hoopoino aku i kekahi mea e ae, ia ia iho wale no, pela ka manao o ka poe hoike a pau. A i ko lakou hai ana ia manao, ua hai lakou i ka mea e pono ai lakou iho. Ina hookoia kela manao, e hiki no, ina he aina i ka lima o ke konohiki, a e noho ana na hoaaina, a ina like wale no ka aina a pau,

hiki no ke mahele maoli i ekolu Aina like, a e hoaawi i ke konohiki i palapala olodio no kona Aina a pela no ko ka hoaaina, a koe hoi kekahi hapakolu i ke Alii i waiwai no ke Aupuni.

Mahope mai o ka makahiki 1839, ua loaa paha i kekahi mau mea ke kuleana aina ma ke ano olodio, no ke kuai paha, no ka haawi wale ia 'ku paha. Ina aole hoike no ia kuleana, aole hiki ke aeia aku no ka mea, mamua aia no i ke Alii wale no ke kuleana olodio, a ia ia wale no ka aina a pau, nolaila e manaoia nona no i keia wa, ina aole hooleia e na hoike. A ina ua noho ke kanaka ma ka aina a loihi loa; aole e mahopo ka nele ana o ke Alii, he kuleana nae ko ke konohiki, a o ka hoaaina paha kekahi.

Ua pili mahopo keia mau kumu ma= nao, a me keia mau olelo i na Poke, a me na Ahupuaa a me na Ili, a me na mea nana i ai. Aka okoa loa na aina mahi, okoa loa na pahale. Aole i haawi ke Alii i kahuahale i na haku, i mea e haawi hou aku ai e like me ka haawi ana i ka aina. Nolaila, ua akaka, elua mea kuleana i= loko o na pahale, a ke Alii a me ka mea nana e noho, aole ke kolu. Aka, ekolu no ma kau wa= i penei, Ina haawi maoli aku ke Alii i kahuaha= le no ke kanaka nona iho, a mahope na ua mu= la i hoolimalima, a hoolilo aku paha ia hai, no ka manao loaa paha, aole paha. Eia keka= hi, ina he pahale nui maloko o ka aina maoli mamua, a i keia manawa, ua lilo ka pahale i ka mea kuleana ole iloko o ka aina, ma ka pa= hale wale no kona kuleana. Ua manaoia na pi= li kela pahale i ka aina i keia manawa, penei nae ke ano o ka pili ana, e uku makahiki aku ka mea pa i ka hakuaina.

Ua mahopo ka pono o keia no ke ano o ka noho ana i ka wa kahiko, a ua mahopo no hoi no na hua hope o ka Pauku 4 o ka Mokuna 3 o na Kanawai kahiko, penei. "Aka. o na pahale i like me na paaina, pono no e kokua ke mea pa i ka mea nona ka aina i ka auhau o ka makahiki."

Ua akaka loa keia mau kumu manao, a me keia mau mea i olelo ia, a hiki ole ke hoole= ia, ua nui wale na hihia, a hiki loa mai i

keia manawa. Eia ke kumu nui no ia mau hihia, na nui na mea kuleana iloko o ka aina hookahi, a manao kela mea keia mea o lakou na nui kona kuleana iho. Ia hihia ana, eia ka mea i hana pinepine ia, o na haku a me na mea koikoi, o lakou ka i hookaumaha i ka poe nawaliwali. Aole pahia mea o ka poe kiekie i keakea ole i ka poe malalo i keiekahi manawa. Aole i malu na konohiki kiili, a me na hoaaina i ke Kanawai 1839, aole hoi i ke Kanawai o 1840. Ua pili no ke Kanawai i na mea a pau i ka poe kiekie a me ka poe haahaa, aka, he mea ku e loa i ka aoao kahiko ke hoopau i ka mea kiekie i mea hoomalu i ka poe haahaa, a pilikia ka poe haahaa i keiekahi manawa, a nolaila, na manaoia he mea pono e kau hou i Kanawai, i mea e hiki ai ke hoakaka i na kuleana aina, a i Kanawai hoomalu hoi ia mau kuleana ke ikeia. Nolaila i hoonohoiaii na Luna Hoona i na Kumu kuleana aina.

O na Luna Hooko, ina hoohalo lakou i ka olelo, na lilo kela olelo a lakou i hoohalo ai i olelo ae na ke Alii, ka mea nana i haawi ia lakou i kela hana, i mea e hiki ai ia lakou ke hooponopono i na kuleana mamua a pau ma ke ano pololei loa, a ina pono io, hiki no ia lakou ke hoolilo loa aku i ke kuleana aina i pili ia ia ma kona ano Alii.

O ka mana a pau o ke Alii, e hooko i na kuleana aina oiaio o na kanaka i keia manawa, na lilo i na Luna Hoona.

Pehea hoi ke ano a me ka nui o ia mana o ke Alii i haawi mai ai i na Luna? Ua haawi mai oia i kona waiwai maoli iloko o ka aina ma kona ano kanaka, aole i haawi mai i kona kuleana Alii iloko o ka aina. Eia kona kuleana Alii iloko o ka aina.

1. O ke pai i ka aina i mea hoopau i ke kipii
2. O ka auhau i kela waiwai keia waiwai ku pono ke auhau; i ka aina hoi kekahi, ke olelo mai ke Kanawai pela
3. O ka hoolaha aku, a e hoi ako aku hoi i kanaka e malama i ka aina i mea e pono ai ka lehulehu.
4. O ka hoonakaukau i kuamoo a me na

mea e olualu ai ka lehulehu i ka hana ana i alanui, alaha-
ka, na ala hele a me na mea like.—
5. O ke kii aku a lawe i na aina no ke Aupuni i mea e pono
ai ka lehulehu a ke pilikia koi ke Aupuni, e uku pono a-
ku nae e like me ka mea i authau polalena.

Aole pono ke Alii, aole koi e hiki ia ia ke hoolilo aku
i keia mau kuleana ona.

Nolaila, ina hooiaio na Luna i ke kuleana e like
me ka hana ana mahope, a haawiia ka palapala hoolilo
e like me kela hooiaio ana, na hookoeia no kela mau kule-
ana o ke Alii.

Aka, i ka nana maoli ana o na kanaka i ko
ke Alii waiwai iloko o ka aina ma kona ano kanaka, na
okoa loa ia, a okoa loa kona kuleana Alii, i ka nana
ana o ko na aina naauao, no ka mea, i ka manao o ia
poe, o ka Moi ka i hoike i ke Aupuni, aole ia ia iho.
I ka wa kahiko, aole lilo ka waiwai hookupu i na Luna
i mea e pono ai ke Aupuni, i ke Alii no ka lilo ana
nona iho i waiwai maoli no kona kino. Nolaila ke wa-
iwai maoli kona iloko o ka aina: Aka, i ka haawi a-
na o ke Alii i kanaka ke Kumukanawai i ka la 8
o Okatoba i ka makahiki 1840, ma ke ano aloha a
lokomaikai, na hookaawaleia ke Alii a me ke Aupu-
ni, a ia hookaawale ana, hoemiia ko ke Alii mana
kahiko. Penei ka olelo. "Ia ia ka waiwai o ke Aupu-
ni, ke dala o ke kino, ka authau o ka aina a me na
la hana ekolu o ka malama, e like nae me ka olelo
o ke Kanawai" Nona no kona mau aina ponoi a me na
aina hemo i ka makahiki" Aka kena mau hua, ua a-
kaka, he okoa ko ke Alii waiwai ponoi, okoa ka waiwai
Aupuni i lilo ia ia no kona noho ana maluna o ke Au-
puni. O na mea a pau e pono ai ka lehulehu ma ka ai-
na, a i ka authau aina a me ka waiwai o ka aina, aia
i ke Alii ia ma kona ano poo o ke Aupuni, ma ke ano
koi o ke Aupuni ia; a hookaawale loaia kona mau ai-
na ponoi"

Aka ia ano hookahi no, i ka la 7 o June 1839,
hoohalo na Alii me ka ae mai o ka Moi i mau olelo paa e
olelo hoakaka hoi "no ka nonoi aina a me ka haalele a-
ina, a me ke pai aina a me ka hana maluna o ka
aina" No ka hoikaika i ka hana ia. Aka ia Pauku
ua hoakakaia ka poe hakuaina, he poe ai aina la-
kou, a ua paa ia lakou kahi i makiia, he kuleana

paa loa nae ke na hoaaina. Ua akaka he kuleana
nui ko ke Aupuni a me na haku aina i mahi olelo,
no ka mea, na olelo ke Kanawai, penei. "Ona ka=
naka aina ole; aole i mahi kihapai, aole loa no
he mahi ai, ia i manao lakou e hana i loaa ko
lakou makemake, e noi aku i na konohiki a i ke
Kiaaina, a i ke Alii Nui paha, ma na wahi ka=
awale o ka aina, aole i hanaia a maikai e ke ka=
naka, e haawiia'ku no ia wahi no lakou" Na
na konohiki a me ke Alii pu kela haawi ana.
Ua maopopo no hoi ia kuleana pu ma kela
Kanawai kahi i oleloiai na Lihi a me na ko=
nohiki.

Ua maopopo no ka pili ana o na aina
i ke Alii; na olelo ia nae no na hakuaina, no
ka mea, eia ka olelo mua maloko o ka Pauku
"a o na Kiaaina a me na konohiki

Eia ka hana a ka ke Alii nui poe i
haawi aku ai i ka aina, aole lakou e hoonoho
konohiki hou aku malalo o lakou maluna
aku o na makaainana, "e pau ia hana ana
pela." A ma ka Pauku 18, ua hoowaliwaliia
na konohiki o kaule lakou i na olelo o ka
Pauku umikumamakolu. Nolaila, ua aka=
ka, elua mea e paa ai ka aina i na kono=
hiki, o ka ikaika i ka hana a me ka naau=
ao.

Nolaila, ua akaka a hiki mai i ka
la 7 o June 1839 mamua aku o ke kau ana
i ke Kumukanawai, na manao na'lii ia
lakou iho, ua noho hale lakou ma ko ke Alii
makemake wale no, ma kona ano poo o ke
Aupuni. A ina i hana lakou i mea e poino
ai ka lehulehu, oia wale no ke kumu pono e
paiiai lakou; o ka Palanalelo a o ka Naau=
pio, a me na mea like, na mea e pono ole ai
ke Aupuni. Ina pono i ke Alii ke pai wale
i na konohiki no kona makemake wale, a no
kona huhu wale, a no kona manao wale,
ina pela, nolaila no ke Alii wale no ka aina ma
kona ano kanaka maoli no. Aka, aole i ku=
pono ia i ke ano o na Kanawai a pau, ao=
le hoi me ia ke ano o na olelo a ka poe hoi=

ke a na Luna Hoona i lohe ai. Aka, o ke pai i ka aina no ka hana ole, a no ka hana ino, a no ka hewa mai, he mea ia e pomaikai ai ka lehulehu, no lakou hoi ke Alii ana.

Ma ka hana ana, ua ike maopopo na lii, he mea nui ka pili paa loa ana o ka waiwai i ke kanaka, ina he aina oia, a ina he waiwai e ae oia no, a o ka hemo ole oia wale no ka mea e ikaika ai lakou. Ua ike no lakou aohe mea e ae e pomaikai ai ke Aupuni, eia wale no, o ka hoopuka i ka waiwai mailoko mai o ke lakou wahi iho, a mailoko mai o ka aina ka nui o ka waiwai. Aole hoi e mahi pono ke kanaka, ina o ka na ai wale no kana e loaa'i noloko o ka aina pili ole ia ia, aole hoi i kana keiki. I ka pili ana o na lii me ko na aina e, ua ike lakou i ka hana ana o ka poe make ano e kaawale ai ka waiwai o kekahi a me kekahi, a ua hoopaapaa nui lakou no ia pono a e hoopilikia nanei ia pono i na aina e paa nei i na hoaaina make ano a ka hale i ike ole ai. I keia manawa, ua noho Aupuni okoa, a nalaila i ka manao ana o na Aupuni kakiko naauao, ua makemake lakou ma na mea nui e hoomahuii i ka noho ana o ka poe naauao.

I ka manao ana o makou na Luna Hoona, oia ke kumu o ka hookaawale ana i ko ke Alii aina pono ai a me ko ke Aupuni ma ke Kumu Kanawai o ka makahiki 1840, a i keia manawa, ke manao nei makou, oia ke ano o ka Hawina 4 Pokuna 7, o ka Apana mua o ke Kanawai hoonohonoho i na hana i hawiia i na Kuhina o ko Hawaii Pae Aina; ua hookumuia maluna o ka olelo hoike a ke Kokualanakanawai i ka la 21 o Mei 1845. Nalaila, ua oleloia "he mea pono ke hoomakaukau i ke Aupuni o ka Moi e hana pu me ko na aina i ae mai i ke Kuokoa ana. A hookoloia ka olelo na ke Alii e koho i mau Luna elima nana e hoona i na kumu kuleana aina, a pela e kau ai ma luna no lakou i kona mana a pau i kona nno kanaka, a i kona ano eliii, ka mana hoi e hiki ai ia ia ke hanawi maluna o ka waiwai o kanaka iloko o ka aina.

O ka olelo hoi i ke Alii e koho i ona luna e like me ia, aia no ma ka Hawina 4 o ka Mo-

kuna 7 o ka Apana 1 o ke Kanawai a ka Pae Aina elelo i hoohololo ai i ka la 10 o Dekemaba 1845 a kau hoi i ka la 7 o Feberuari iho nei.

O kela Kanawai a pau kahi i kakauia'i kela olelo, ua kapaia "Ke Kanawai hoonohonoho i na hana i haawiia i na Kuhina Alii. Aole ia, ua akaka keia, o ka olelo a na Luna e hoohololo ai; aole ia e like me ka na Lunakanawai wale no, he ano hooko maoli kekahi. O kela onau Apana Kanawai elima, ua hoohalo loaia akau ke Alii i kona inoa Apono i ka la 27 o Aperila 1846, a hoolahaia i ka la 20 o Iune iho nei.

X O na poe Luna nei i hoonohoia, ua koho ia a hooponoponoia e like loa no me ka olelo o ke Kanawai; no ka mea, kau ke Kanawai i ka poaono i ka la 7 hoi o Feberuari, a i ka la i noai i ka la 9 hoi, hanaia maloko o ka Ahakukakuka Inalu, kohe ke Kuhina Nui me ka ae mai o ka Moi, a hookohu hoi ia makou na mea i kakauia na inoa malalo, a ia manawa no, imua o ka Moi a me ka Poe Kukakuka Inalu makou i hoohiki ai a kau i ko makou inoa i keia olelo a na Luna i hoohiki ai.

"Ke hoohiki nei kela mea keia mea o makou e
"imi pono me ke paewaewa ole i na kumukule-
"ana aina a na kanaka i hoopiiia mai nei no ke
"Aupuni o ko Hawaii Pae Aina, a e hooholo makou
"i ka olelo pono no ua kuleana la, ke kumukuleana,
"ka loihi o ke kuleana, a me ka nui o ka aina, e
"like hoi me ka olelo oloko o ka Haawina 4 o ka
"Mokuna 7 o ka Apana mua o ke Kanawai i
"kapaia, Ke Kanawai hoonohonoho i na hana
"i haawiia i na Kuhina o ko Hawaii Pae Aina
"i hoohalaia ma Honolulu i ka la 10 o Dekemaba 1845

"Kauia ka inoa a hoohiki ia
"i keia la 9 o Feberuari 1846
"imua o'u.

John Young
Kuhinakalaiaina

William Richards
John Ricord
S. G. Hanchoa
John Ii
Z. Kaauwai

I ka la 11 o Feberuari aia hoi ka lua o ka la mahope iho o ko lakou hookohu ana,

hoopionopono na Luna i ko lakou noho ana, penei.

Olelo hoike.—

I ka halawai ana o na Luna i hoonohoia e hoona i na kumu kuleana aina, i ko lakou noonoo ana i ka hoonohonoho pono i oleloia ma ka Haawina 4 o ka Mokuna 7 o ka Apana mua o ke Kanawai hoonohonoho i na hana i haawiia i na Kuhina o ko Hawaii Pae Aina.

I ka halawai ana o ia mau Luna, hoholoia keia olelo.

1. E hoonohoia o William Richards i Paresidena.
2. E hoonohoia o P.C. Smith i kakau olelo me ka uku i hoakakaia mahope, a e hookaaia kona uku noloko iho o ke koina, a me na mea loaa i ke Aupuni mamuli o ka hana ana Luna.
3. E hoohoohiki ke kakau olelo e hana pololei i na hana i haawiia ia ia. Eia hoi kekahi olelo i hoholoia, na na kakau olelo la e lawe i na olelo koi a me na olelo hoike; i mea e noonoo ai makou mahope iho. E kakau no hoi oia ma ke kua o ia mau pepa i ka la a me ka hana i haawiia ia ia. E malama no hoi oia i kona hana ma ka Halekanila Honolulu i wahi e handi i kana mau hana, i wahi hoi e pono ai na mea koi.

Nana no hoi e kakau i na olelo a keia poe Luna, a me ka Inoolelo no ka lakou hana.

4. O na palapala koi i hoikeia mai i mea hoopono-pono, o ka palapala loaa mua, oia ka palapala hana mua, a na ka nui o na Luna e hoohoi i ka olelo no kela mea keia mea.
5. E halawai no lakou i ka poakolu o kela hebedoma keia hebdoma mai ka iwa o ka hora o kakahiaka a hiki i ke kolu o ka hora o ke ahiahi ma ka Halekanila ma Honolulu, o ka halawai mua ana i ka la 4 o Maraki e hiki mai ana.
6. E hoolahaia keia olelo iloko o ka Elele, a e hoolahapuia no me ka olelo a ke Kanawai, i olelo no ka mea koi, a i mea e ike ai lakou i keia mau lihi Kanawai a na Luna i kau ai.

Ua hanaia ma Honolulu i keia la 11 o Febe-ruari 1846.

William Richards
John Ricord

S. C. Kanehoa
John Ii
L. Kaauwai

A paiia keia olelo ma ka Nu Pepa Polunesia i ka la 14 o Febeluari 1846, a me keia olelo malalo ka mea a ke Kanawai i olelo ai, a pai ia no hoi ma ka Elele i ka la 3 o Maraki.

No na mea Kuleana Aina a pau ma ko Hawaii Pae Aina.

Ua hoonoho mai ka Moi ke Alii ia makou i poe luna nana e hookolokolo, a hooko, a hoole i na kuleana aina i hookumuia mamua o ka la 10 o Dekemaba M. H. 1845. E haawi ma ke ano alodio na palapala sila nui, a i ole ia, na palapala hoolimalima no na makahiki, e haawiia keia mau mea mamuli o ka makou hoakaka ana, e like me na mea i hoakakaia mai ia makou.

He halawai hebedoma ko ka Poe Luna ma ka Halekanawila ma Honolulu, e hoolohe i ka na mea hoopii, a me ko lakou kokua paha i mea e akaka'i ko lakou ku= leana, a na makaukau makou i keia la keia la, e lawe ma ka palapala i ka lakou olelo koi, a me na mea e ikea'i ke kuleana, na mea hoi a na hoopii e manao ai e hoike ma ka Hale o Joseph Henry Smith ma ka Hale= kanila ma Honolulu iwaena o na hora 9 o kakahiaka, a me ke kolu o ke ahiahi.

Ua noiia iho na kanaka a pau e hoike mai ia makou i na Luna i ka olelo ha= akaka i ko lakou kuleana aina, a hoike mai hoi i ke kumu o ko lakou koi ana i keia ku= leana aina ma Hawaii nei; hana hoi ma= mua o na makahiki elua mai keia la a= ku, a i ole lakou e hana pela, mahope iho o ia manawa, alaila, na hoonele loaia lakou aole e loaa ia lakou na kuleana ma na Ahahookolokolo no ka pono.

Kakauia i keia la 11 o Febeluari 1846.

William Richards
John Ricord

S. Y. Kanehoa
John Ii
Z. Kaauwai

Eia na hana i kuikuno i na Luna Hoona.

1. O ka imi a hooko a hoole i na kuleana aina o na kanaka, na kanaka maoli koi, a me na haole i hookumuia ke kuleana mamua o ka hoohola ana i ke Kanawai a pau i komo ka Haawina 4 maloko, o ka la 27 ia o Aperila 1846.

2. Ua hoakaka loa ia ka hana a na Luna no ka hoponopono ana, a no ka hooko i na hana, a na haawiia ka mana e hiki ai, o ka halawai a hooparanez, a hoonoho i kakauolelo; o ke kii aku i na aoao o ka hooko i na olelo kena, o ka haalui i ka olelo hoohiki, a me ka hoonoho i luna nana e lawe i na olelo hoike. Ke mana keia i hoohuiia, me ka mana o na Luna Hoona Kumu kuleana aina, na lakou e hooko a hoole koi i na kuleana.

3. O na kumu manao i rula no na Luna i ko lakou hoohola ana i ka olelo o ke Kanawai waiwai o ke Aupuni, a mamuli o ia lakou e hoohola ai i ka olelo no "ka noho mau ana, i ka pa ana, i "ka hana ana i ka mea paa maluna, i ka aoao "kahiko no na kuleana aina, i ka pono o ka wai, "i ka pono o ka lawaia, i ka pono o na wahine "i ka pono o na mea e noho ana ma kahi e, i ka "pono o na hoaaina, a me na lopa, i ka pono o "ka hiapo, a me ka pono o ke keiki hookama." Oia "ka olelo pili i o ia nei o ke Kanawai hoonohonoho "i na hana i haawiia i na Kuhina, ma ka Pauku "3, na hoakaka ke Kanawai, penei. Mamua o ke "kau ana i ke Kanawai hou no ka waiwai, e lilo "no na kumu manao iloko o keia Kanawai; a me "na Kanawai maoli o keia wa, i Kanawai pili i "ka waiwai a e pono ia maloko o keia Aupuni; "oia hoi ka na Ahahookolokolo e hooko ai i ko la- "kou hooponopono ana ma na mea a pau oia, ke "pili ia mau olelo."

Malaila, ua akea loa kaua e hiki ai i na Luna ke hoohola i ka olelo. E mi mau nae la- kou i ka oiaio ma na waha o na hoike pololei i ike lakou i ka Moolelo no ia kuleana keia kuleana

a e hoonohonoho ia mau olelo ma ke ano kii like i ke Kanawai waiwai, ina he Kanawai i pili ia kuleana, a ina aole Kanawai i pili, e hiki no ia lakou ke hoopili ma ka aoao kahiko i ko lakou hoohnolo ana i ka olelo, aole ma ke ano o na Kanawai i keia wa, aole ma ke ano ku e i ka oiaio, e hana pololei maoli no, a e lokomaikai no hoi.

4. No ka waiho ana mai o ka Moi, ka mea kuleana ma na aina a pau, i kela mana nui e hooko a hoole i na kuleana, na na Luna wale no e hana, ua akaka no konamanao e lokomaikai loa aku i na mea kuleana, a hapa paha kona manao ia ia iho, nui kona manao i na kanaka mea kuleana.

5. Aka, aole i manao na Luna Hoona e hiki ia lakou mamuli o kela lokomaikai nui o ke Alii, ke pale ae i kekahi mau olelo iloko o ia Kanawai hookahi no, aia ma ka Haawina 4 Pokuna 7, Afana 1. No ka mea, o kela Ahaolelo nana lakou i hoonoho, ua hoopaa i ko lakou lima, penei,

1. "Aole e loaa i ka lahui e no lakou ponoi ma ke ano alodio kekahi aina iki.

2. Aole e lilo io i na poe lahui e la ka waiwai paa i hoolimalimaia, a loaa mua ia lakou ka palapala noho e hoakaka ana i ko lakou aina, e like me ka olelo ma keia Haawina" mua o ka Mokuna 5.

6. Eia wale no ka hana o na Luna Hoona i haawiia ma na Kanawai la, o ka hoakaka i ke ano o ke kuleana, a hooiaio a hoole paha ia kuleana, a hooiaio a hoole hapa paha. Aole e hiki ia lakou ke haawi i palapala hoolimalima, aole hoi i palapala sila nui, aole hoi e hiki ia lakou ke [illegible] ka uku i oleloia ma ka Pauku 10. Aka, ke ke ku like ana o ka uku pono i ka aina me ka nui o ke kuleana, nolaila, pon[illegible] i na Luna Hoona e imi a e hoakaka i kona nui, "i mea e ike ai ke Kuhina Kalaiaina.

7. Ua pili pu me ke kuleana aina ke ano o ka hoo=
ana o na mokuna a me ka nui o ka ili aina malo=
lo, a ina aole imiia a hoakakaia, aole e hiki ke
hoohole pono i ka olelo, a hana i ke kumukulea=
ana iwaena o na mea i pili i ko lana aina.

Nolaila, aole hiki i na Luna ke hana me
ke ana olelo o ka aina, a na ka mea nona ka aina
e uku mamua o ka hoohole ana i ka olelo. Ua
manaoia keia mea ma ka Pauku 12 i ka olelo a=
na i "na dala i lilo i ka imi ana."

Eia na pono e loaa ia mau imi ana, a
me ka hoohole ana i ka olelo.

1. E hookaawale lakou i na kuleana o ke Alii, a me
ke Aupuni, na mea i hui mamua, a kae mai
i ka mea nona kahi, a kuokoa oia ma kona
manao, a hiki ia ia ke hana e like me kona
makemake i kona aina, ina he ano alodio, oia,
ina no ke ola ana, oia, a ina no na makahiki,
oia no hoi, e like hoi me ka olelo i hoholoia.
Ina mau aku ke kuleana o ke Aupuni, a o ke
Alii paha iloko o ka aina, alaila, ua mau pu
no ka pono o ka ae ana o ke Alii, a me ke Ku=
hina Nui, mamua o ke kuai ana a me ka
hoolilo ana i ka aina mai kekahi kanaka i
kekahi, e like hoi me ke Kanawai kahiko; a
pela no hoi ke haawiia na palapala Hoohui, e
hookaawaleia keia mau kuleana, a hoopauia
na hemahema a me na mea e paa'i ka mea no=
na kahi, i hiki ia ia ke hana e like me kona
makemake, he mea ia e pomaikai loa'i oia, a
pomaikai pu ke Aupuni ilaila, no ka mea,
ua loaa i ka mea kuleana kona iho, a na he=
no ka paa ana o kona mau lima, a hiki ia ia
ke hana aku i Kanawai me ke kaakea oleia mai
a haawi i ka palapala Hoohui i mea e pono
ai ke kuai ana, a huki no ke hana i hale pa=
a, me ka hoomaopopo mua e ili aku ia i ko=
na hooilina. He mea ia e loaa ke ke ai ka wai=
wai lawe aku i ka aina e, he mea e mau ai
ke kuai pono ana ma ke ano pono, a ina
aole pela, aole loaa i ke Aupuni ka waiwai
makahiki e hiki ai ke hoopononopono i ko loko
o ka aina.

2. O na palapala ʻāina nui a me na palapala hoolimalima, e haawiia ma ke ano maopopo no na mokuna o ka aina. Nolaila, aole loaa pinepine ka haka ʻāina no na mokuna maopopo. No ke kii ana i na mea a pau i pili mamua o ka hoohalo ana i ka olelo, nolaila aole hiki kekahi ke olelo mahope, he kuleana kona. E hiki no ke hoopii i na Lunakanawaiakiekie, o ka mea nae i hoopii mua i na Luna Hoona, oia wale no.

Ua paa papahua na palapala ʻāina nui ma ka Waihona Kalaiaina. Nolaila, e ike auanei ke Aupuni i ke kumu o na kuleana, a pela no na mea a pau e ninau mau. Aole loa e hiki kekahi ke hoopunipuni mai i kanaka, no ka mea, na maopopo kahi e hele ai a loaa ka mea e hoole ai i kona wahahee ana. O ka mea kuai mahope iho, a loaa ka palapala Noraki, aole lakou e hana maloko o ka naauao ke oiaio ole na kuleana o na mea manaokuai.

Ua manao makou na mea i kauia na inoa malalo, he mea pono ke hoakaka mua i keia mau kumu manao i mea e maopopo ai i na kanaka na olelo a makou e hoohalo ai; a i mea e pololei ai hoi ko makou hoohalo ana i ka olelo, he mea pono ke kakau mua i na kumu malalo, na loaa ia mau kumu i ka noonoo nui ana i na kanawai i pili i ka waiwai, a me ka hoolohe ana i ka olelo a na hoike. O kekahi hoike he Alii kahiko, a nui kona mau aina, a na makou ka olelo no ia mau aina. O nā lii i ai aina pela, he mea e poino ai o lakou iho kela hoike ana, no ka mea, na kue ko lakou hoike ana i ko lakou kuleana iho, a e uku auanei lakou i ke Aupuni ke haawiia ia lakou ka palapala no ke ano alodio. Ua pili like keia kumu i na kanaka maoli mea kuleana, a me na haole e noho ana ma-

anei, e like hou me ka olelo ma ka Haawina 2 o ke Kuikahi i hoohololia ma Beritania Nui a me Farani i ka la 26 o Iharaki 1846.

1. I mea e pono ai ka hana a makou ka Poe Koona, eia ka makou, e imi mau, ina no ke Alii ponoi nae ke kuleana a no kona Kuhina me ka ae o ka mua, a hoo= kumuia mamua o ka la 7 o June 1839, aole nae pa= lapala, alaila, eia wale no ka makou e imi ai, o ke ano o ka haawi ana, a ina i mau ka noho ana mai ia manawa mai, na kukulu ia paha na hale maluna iho, a na kanu ia, a na hooponopono ia paha, me ke kakea ole ia, a ina aole hoopaapaa iwaena o na kanaka, alaila, e manao no makou he kuleana ko ka mea koi, he kuleana nae ma= lalo o ke ano olodio.

2. Ina manawa a pau, ina he kuee kekahi koi i kekahi koi, alaila, eia ka makou e imi ai, o ka mea i oi aku ka pono o kona kuleana, a ku= pono ia ia ka palapala hoolilo ma ke ano i olelo ia.

3. Ina manawa a pau, ina no ke Alii mai ka loaa ana o ka aina, a na ke Kuhina paha me ka ae o ke Alii, a na ke Kiaaina a na kekahi Alii, a na kekahi mea e ae, mahope mai o ka la 7 o June 1839, ina pela, eia wale no ka makou e imi ai, o ke Alii, a o kekahi Alii iho, a o ka haku na= na i haawi i na aina la, a e hooko mai koe, a e hoole e like me ke kuleana, a kuleana ole paha o ka mea nana i haawi, a hoolilo a hooli= malima, aole makou e manao iki i ka uku; ao= le ka noho ana, aole koi i ke kuleana o ka hale.

4. I na manawa a pau, ina i loaa pono ka aina ma ka palapala haawi, palapala kuai a palapala hoolimalima paha na ka mea no= na mai kahi, alaila, e hooko ma kou e like me ke ano oiaio o na kuaolelo maloko o ka palapala.

5. Ina hookumu ponoia na kuleana ma ka pa= lapala a ma ka olelo waha paha, na ka mea nona kahi i haawi mai, no ka uku pono aku, a na ka mea e paha, aka, aole i noho ka mea koi, mai ka la 7 o June 1836 a hiki mai i keia manawa, e manao no makou aole ku leau.

i koe, ia ka mea e maopopo loa'i, o ka Pauku 6, Mokuna 3 o ke Kanawai kahiko.

6. Ina makemake kekahi mea kuleana i kookoia e loaa ka Palapala Aldio e like me ka olelo ma ka Mokuna 7 o ka Apana 3 o ke Kanawai hoonohonoho i na hana i haawiia i na Kuhina Alii, ke manao nei ka Poe Noona Kumukuleana i ko lakou noonoo ana i na olelo i hoikeia mai ia lakou, he mea pono i ka mea koi, ke uku aku i ke Kuhina Kalaiaina i kekahi hapakolu o ke dala kupono i ke kuai i na aina la, me ka manao ole nae i ka waiwai i hanaia maluna o na aina la. A ina uku aku na mea koi la i kela hapakolu, alaila pau ke kuleana o ke Alii ma na aina la, a lilo ka aldio i ke kanaka; na mau nae ka pono o ke Aupuni iloko o ia aina, a na ke Alii e hana mamuli o na Kanawai; na na Luna nae a ke Kanawai e olelo ai. Aka, i ka olelo ana a na Luna Noona i keia mea, aole o makou manao na paa ke Alii a me ka Poe Kukakuka Inalu, a hiki ole ia lakou ke hoemi i ka uku ana malalo o ka hapakolu mamuli o ka Pauku 10 o ka Kaawina i hoonoho i na Luna hoona kumu kuleana. Eia hoi kekahi mea i koe, o ko ka hoaaina kuleana, ina he hoaaina e noho ana. Aole hiki i ke Alii ke hoolilo i kona kuleana, ke ae ole mai ia.—

Ua manao makou he pono ia makou ke hoakaka i ka nui o ko ke Aupuni kuleana i keia manawa iloko o na aina a pau; no ka mea, a hiki mai i keia la, aole i uku pono ia ke Aupuni no na aina a na'lii hoi ka poe i haawi i ka aina i kanaka, aole lakou i uku.

Aole loa e oi aku ko ke kanaka kuleana mamua o ko ka mea nana i haawi ia ia, aole hoi e hiki i kekahi Alii ke hooi aku i kona haawi ana mamua o kona i loaa mai ai.

O ko lakou ai ana i ka aina,

ina aole hoaaina malalo o lakou, na loaa ia la-
kou ke kuleana e like me na palapala elua, aole nae i
mahiehia, a nolaila no keia hapakolu o ke Alii, uku
makahiki lakou ia ia i ka waiwai o ka aina, a me
ka hana. O na haole i loaa ko lakou kuleana mai ia
Poe Alii mai, i kekahi manawa aole lakou i uku i ka
makahiki, i kupono i kona mua ke haawi i ke
Aupuni, a nolaila, na nalowale i ko lakou manao
ko ke Aupuni kuleana iloko o ko lakou aina ma-
mua.

E hiki no i ke Kuhina Kalaiaina ke kuai
aku ia kuleana ke loaa mai ia ia ka uku no ka
hapakolu o ka aina, e like me ka olelo maluna.
Aaila, aole olelo kou ke Aupuni maluna o na aina
la, eia wale no, o na mea i olelo mua ia.

7. O na kumu kuleana aina a pau, maloko
o keia Aupuni mai o a o, o na mea i koi pono,
a me na mea i koi hewa ia, ina aole i hoikeia mai
ia makou no ka hookolokolo a me ka hooko, a me ka
hoole i ka la 14 o Feberuari M. H. 1848, a mamua
aku paha, na kai muaia ku ma ka Pauku 8 o
ka Kaawina hoonohonoho ia makou, no ke Aupu-
ni ia aina. O ka poe hoopanee, a hoike ole mai i
ko lakou kuleana, hoowahawaha no lakou i ke Ka-
nawai, nolaila, aole e hiki ia lakou ke hoohala-
hala i ko lakou hookuli iho.

Maluna o keia mau kumu manao, ke
hoomaka nei makou e hoholo i ka olelo no na ku-
leana i hoikeia mai imua o makou.

William Richards
John Ricord
L. Kaauwai
Joane Ii
J. Y. Kanehoa

Hale Kauila Honolulu
Augate 20, 1846.

I ka akoakoa ana o na Alii a me
ka Poikohoia e na makaainana, helukelua
imua o lakou na kumu manao o ka Poe Hoona
Kuleana Aina i kakauia i ka la 20 o Augate 1846
a noonoo pono lakou a hoholo i keia manao.

Ua aponoia keia kumu manao, a na
kauia i Kanawai, a mai keia la aku, ina koi
mai kekahi i aino ma keia Aupuni, e hooha-
alikeia kona kuleana nie ia mau kumu manao

a ma ia mau manao e hookoiäi, a e hooleiäi

Hale Ahaolelo Honolulu
Okatoba 26, 1846.

Claim No 1. John Voss.

This seems to be a clear case, coming under the fourth rule of this Board: being founded upon a Lease executed by M. Kekuanaoa, Governor of Oahu, who sets up no counter claim to the ownership; admitting that the Lease was an executive, official transaction; and that the Land in question though bought by himself, was paid for with Government money, entrusted to him for official uses. This statement is corroborated by the evidence of Mr Judd, at present his Majesty's Minister of Finance. There can be no doubt therefore, that the Title is in Government, unencumbered, except by the Residue of Voss's lease, which will expire on the 31. day of March A.D. 1865, up to which time the Lessee should pay to Government, the real Lessor, the rent of $35 reserved nominally to M. Kekuanaoa.

But it is in evidence, that the dimensions of the Leasehold were greater at the time of the contract by three feet, extending into the street, which at present forms its North-westerly boundary, and intersects Chapel Street. These three feet were a short time after the date of the Lease 31 March 1840, taken from the Lessee, and appropriated to the public use: a power universally exercised for the good & convenience of the mass of the people, and which resides in every Government; even without declaratory Statutes. Yet although this right is unquestionably inherent, it is never exercised in any enlightened and free Government, without awarding just compensation for what was taken.

Chapter 8th of the laws passed 11th November 1840, contemplates just remuneration in such cases. This is likewise contemplated by Act 1st Chap: 3 Part 1st of the act to organize the executive departments, now constituting part of the declared civil code of this Kingdom, and as such, a measure of what should be considered just by us. These several statutes should not, legally speaking, be considered ex post facto; for Chief Justice Marshall, in the Supreme Court of the United States

(Calder et ux vs Bull et ux 3 Dallas X 397) thus defines the meaning of the words, ex post facto, as applicable to retroactive legislation.- "Ex post facto laws have an appropriate signification: they extend to penal statutes; and no farther; they are restricted in legal construction to the creation, and perhaps, enhancement of crimes, pains and penalties." A law for the benefit and relief of the person, whose case comes within its purview; is not ex post facto; but remedial & beneficial. The course pointed out by our statute above referred to, for awarding the legal Compensation, would be the proper one for the case now under consideration if the parties did not appear, from the testimony to have agreed upon a compromise. This being the case, such agreement is as much a contract, as the Lease, and should be fulfilled by the Minister of the Interior who has succeeded to the rights and duties of the Governor over this land.

The compromise proposed appears to have been, an extension of the Lease to Fifty years from the date of the old one; and the Evidence goes to show that the claimant would be glad, in consideration of what was taken from him, to receive at present, such extension for Fifty years, at an increased Rent of Forty Five dollars per annum.

There do not appear to be any private Native rights of occupancy in said land.

We accordingly confirm said land, included within the annexed bounds and bounds, to his Excellency, the Minister of the Interior; for the use of the Hawaiian Government, subject only to the unexpired term of John Coss's Lease,- being
1865 eighteen years from 31st day of March 1847. and subject to the equitable right of said Coss to an extension as above stated, upon an increase of Rent, as also above stated, which extension we recommend to his Highness, the Minister of the Interior.

Description of the Land, above confirmed accor-

-ding to the Field Notes of a Survey, made by Theophilus Metcalf Esq.r dated 26th of March 1846.

" Commencing at North corner of said lot, at intersection of Hotel and Cross Street leading from Wm French makai 32 links from the South corner of Geo: Bush's lot diagonally opposite; and 67 links from corner of lot opposite on the West; and running S 69° E. 1 Chain & 59 links along Hotel Street, to East corner of lot measured. Thence S 33° 15 West 72 links to Well house belonging to Premises measured; - then offset 5 links to left, to East corner of Well house. Thence S 41° 15 West 1 Chain to Mr Beckley's lot, also South corner of lot measured. Thence N 46° 5 West 1 Chain and 74 links to Cross Street. Thence N 46° 45 East 1 Chain and 5 links along Cross Street to place of Commencement: including an area of Rods 37 Links 197 "

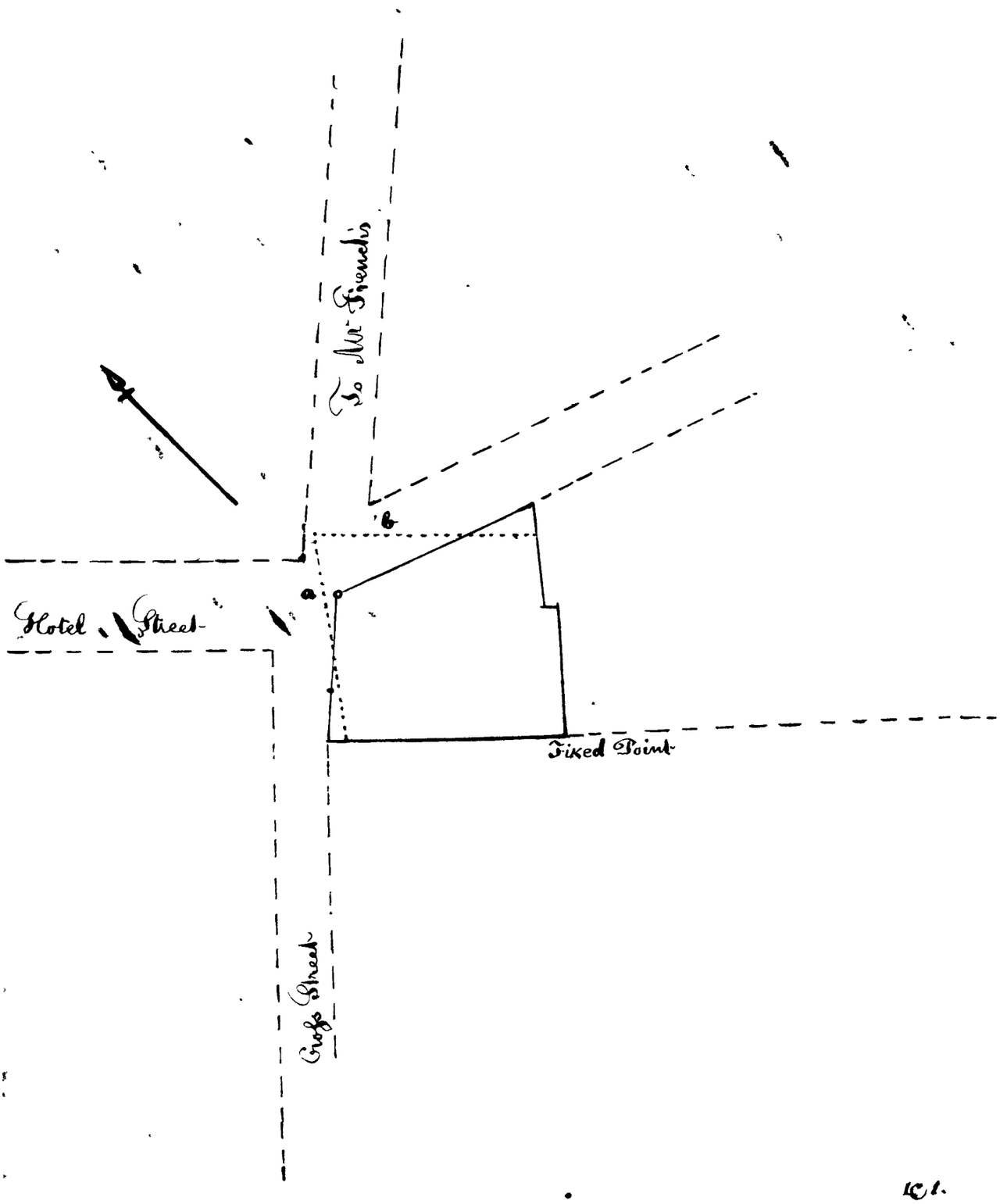
according to annexed diagram.

"Note - The Lease as originally given to John Voss, contained an area of 42 Rods & 44 links - being 4 Rods and 472 links more than what the Walls (including them) at present contain See diagram. By taking the South corner as a fixed point, the lines of the original Lease ran as denoted by the small dotted lines a and b. These lines will also indicate the changes that have been made by taking any other point as fixed.

Honolulu March 26th 1846."

It is competent to the Claimant to Commute his Leasehold with the Minister of the Interior; pursuant to 2d KIII Ch.7 Art: 4th Sec. 10 upon appraisement to be ordered for that purpose.

See diagram in the next Page.



No 1.

Board of Commissioners for Land Claims

Adjudication of Claim No 1. John Voss. Dr.

	£	
To Incidental Expences of advertising claimants the Public Notice of Commissioners to grant Land Titles to all; and of Room hire while engaged in the investigation of their claims		1
To action, motion and adjournment of Commissioners in the matter of his claim on 4th March 1846		1
Carried for'd	£	2

			$ 43
	Rec'd for:		2
To draft of depositions reduced in Relation to his Claim - Fol: 12 -			6
To draft minutes of Testimony reduced in Relation to his claim on 18th March Fol: 6			3
Engrossing Copy of the same			1 50
2 Subpoenas issued for attendance of Witnesses on 18th Inst.			1
To action of Commissioners in the matter of his Claim on the 18th Inst.			1
Mr Metcalfs bill of Survey			5
To engrossing Copy of same Fol: 3			1 50
Report of Commissioners this day rendered on above claim			5
To engrossing Copy of same fol: 1			5 50
Honolulu 31st March 1847.		$	31 50
	deduct Charge for engrossing Report		5 50
		$	26

William Richards
A Ly Kuaeheua
John Ricord
L. Kaauwai
Lo ane Li

deliv'd

Claim No. 2. Robert Kilday.

The facts in this case, collated from the testimony of the several Witnesses examined by this Board, are in substance these; —

Robert Boyd deposed, that the Land in question, called Puakalo, was joined at the Westward by Piikoi's land, at the S. and E. by Namaau's, called Kahuokane; at N & E. by a Land called Kaalea, owned by Kinimaka, and at the South, by a road leading by the road from Honolulu to Nuuanu. He supposed the length & breadth of it to be equal, 600 feet, East to West, & the same North to South.

Mr Boyd arrived in 1822; and Kilday was then in possession of it. He has known him to have lived on it 16 years; and knew him before that time.

Kekuanaoa stated that the Land was given in 1825 and that Kilday was the Kings Tailor before the death of Kamehameha II; but he has not occupied it the entire time.

Mr Boyd knew Kilday had a house built upon it in 1823, & has had several buildings on it since. He has lived on it ever since, with the exception of Intervals when he followed the King; which were 5 or 6 Months at a time. Kilday has lived steadily upon it during the last 14 Years. He was the Kings tailor. Mr Boyd understood Kaikeoewa to have given him this Land in the name of the King; and that the Land was called Pokis. He does not know who that Land belonged to.

Kekuanaoa stated. The Land was given him by the King; but that it was necessary his Guardians should Cooperate with him; who were Karaimoku and Kaahumanu; to render the gift valid: he being at the time only 12 Years of age.

Paki testified the same.

Mr Boyd stated the Common usage formerly to admit of capricious bestowments and reversals.

Kekuanaoa stated that occupancy could not confer proprietorship.

Mr Boyd said, there are Tenants on the Land belonging to Relations of Kildays Wife; one named Kaneahu was living on the Land when Kilday first obtained it. Three others are put on it by Kilday. Kaneahu has put up a house with his Sufferance, and has two taro patches. They pay a rateable proportion of the Land tax to Kilday.

Kekuanaoa thought the real rights of Kilday are small, Compared with those of the Tenants. Kilday has two Kalo patches; but the tenants owned the greater part. He thought after deducting the rights of the Tenants, half of the remainder should belong to

the King. He thought the two kalo patches, the whole of what belonged to Kilday in strict right. Uncultivated Lands belonged to the Government; the principal part should belong to the King.

Paki stated, if he should buy out the rights of all his tenants and he should divide his shares with the King; he should consider a third to be the Kings due. He had known no harm of the Claimant. He made clothes for the King; as also was testified by Kekuanaoa.

Mr Boyd stated that two attempts were made to dispossess Kilday: one in 1823 by Kaheeeva; and the other by Kaalilio in 1834; - both of which the King resisted; because he thought it would be an act of injustice. Mr Boyd understood the Land was first given in remuneration for Kilday's services. Mr Boyd has conversed with the King & never heard him deny this gift; or express any wish to reverse it.

Kekuanaoa stated that for the sake of propriety, a landlord would not turn a tenant off without a fault; for which he would immediately dispossess him, if committed. He heard that Kilday had been paid for his work, independantly of this Land, though he does not know that the King gave him any thing. Kaalilio's reason for attempting to dispossess him, was, because he refused to do work for the King without payment. No other Persons would be injured, but the King, upon the Title to this Land being given to Kilday.

Mr Boyd stated that the Fish Ponds are situated about two miles from the Land; but are considered appendant to it. They belonged naturally to the place, according to old usage, they must be used as Fish Ponds; they cannot be filled up.

Robert Kilday said, he is a British Subject; and came here from the N.W Coast; in the Volunteer American Vessel. He was invited by Mr Pitt and Ho-hu, who came on board, to go on shore, and live with the Young Prince. He did so; and after going with him to Maui & returning, Mr Pitt and Paki gave him this Land under

the King; and he immediately commenced working for the King; and he went about with him wherever he went. He has made his principal clothes for him when a Boy; and different articles since; and also for the Soldiers. He never paid Rent, but paid the Land tax. Government would not allow him to pay any thing until lately. From about 1829, he has paid tax in hogs, or money of about nine dollars amount. Since the first law relating to the Land, he has paid the highest rate for it.

From all which it appears, that since, allodially speaking, these Lands pertained to the Crown, at the time they were verbally conferred by the reigning Prince, during his Minority, though without the Consent of his Guardians; yet, it seems no one would, in the language of Kekuanaoa, be injured, by confirming Kekiays right, except the King. According to the received usage of civilized nations, against which there is no positive native usage to the contrary — "Most of the Acts of Infants are voidable only, and not absolutely void, and it is deemed sufficient, if the Infant be allowed, when he attains to maturity, the privilege to affirm or avoid, in his discretion, his acts done & contracts made, in infancy." 2 Kent page 234.

This doctrine seems to apply with more force to cases of Royal private transactions, based upon royal private property, than to those of other parties; and this Board is disposed in all such cases, to honor the royal discretion. It appears from the testimony, that in two distinct instances, one as late as 1834, the King having attained majority, — so far from avoiding his infantile act, deemed it unjust to disturb the Claimants possession, and by reference to the authority of foreign cases it is clear, that slight acts and circumstances have always been deemed sufficient ground from which to infer assent. 8 d 508 Daunt: 358 d 508. com. Dig. tit. "Infant" C 3. 5. 9. 11.

The act of assent in this case, was not circumstantial, but positive; and the Kings minority should

not be urged as a reason against the Claimant

This claim comes plainly within the purview of the first Rule established for the government of this Board The Claimant has been in continuous possession for a series of years anterior to the 7th of June 1839. He has occupied, built upon, and otherwise improved the land; of which he was originally put in possession on account of past and current services.

There appears however to be a Counter Claimant to some portion of this land, in the person of Namaau; but by private agreement between Namaau and claimant, Namaau has postponed his rights under this adjudication, reserving them for future contingency. Our decision is therefore to be understood subject to the inchoate rights of Namaau.

There appear to be three Native tenants, exclusive of Kildays Wife, whose possessory right in the land must by the law of the 7th of June 1839 be respected.

The law does not preclude the Claimant from compounding with these tenants; and thus extinguishing their right of possession at any time.

We accordingly confirm to Robert Kilday, said Land; included within the metes and bounds ascertained by Theophilus Metcalf Esq. Surveyor; on the 20th & 23d of March 1846. as follows.

Survey of Pualoalo.

"Commencing at a stake at the East corner 78 links west of road leading to Nuuanu Valley; also on the North side and beside a mud wall and running N 51° 45 W. 6 chains & 80 links to stake in middle of Rivulet 8 links eastesly of a large fern Rock. Thence S 47° 45 W 6 chains and 58 links along said rivulet to to top of a rock at an angle of Rivulet. Thence S 34° 30 W. 3 chains and 94 links to stake at West [illegible] of lot measured. Thence S 49° 30 E. 6 chains & 8[illegible] at South corner. Thence N 43° E 10 chai[illegible] running along nearly parallel with roc[illegible]ace of Commencement including an area of 7 [illegible] Rods 25 links

March 20 1846. [illegible] R 7 4 L 25.

48

Survey of Pualoalo Honolulu.

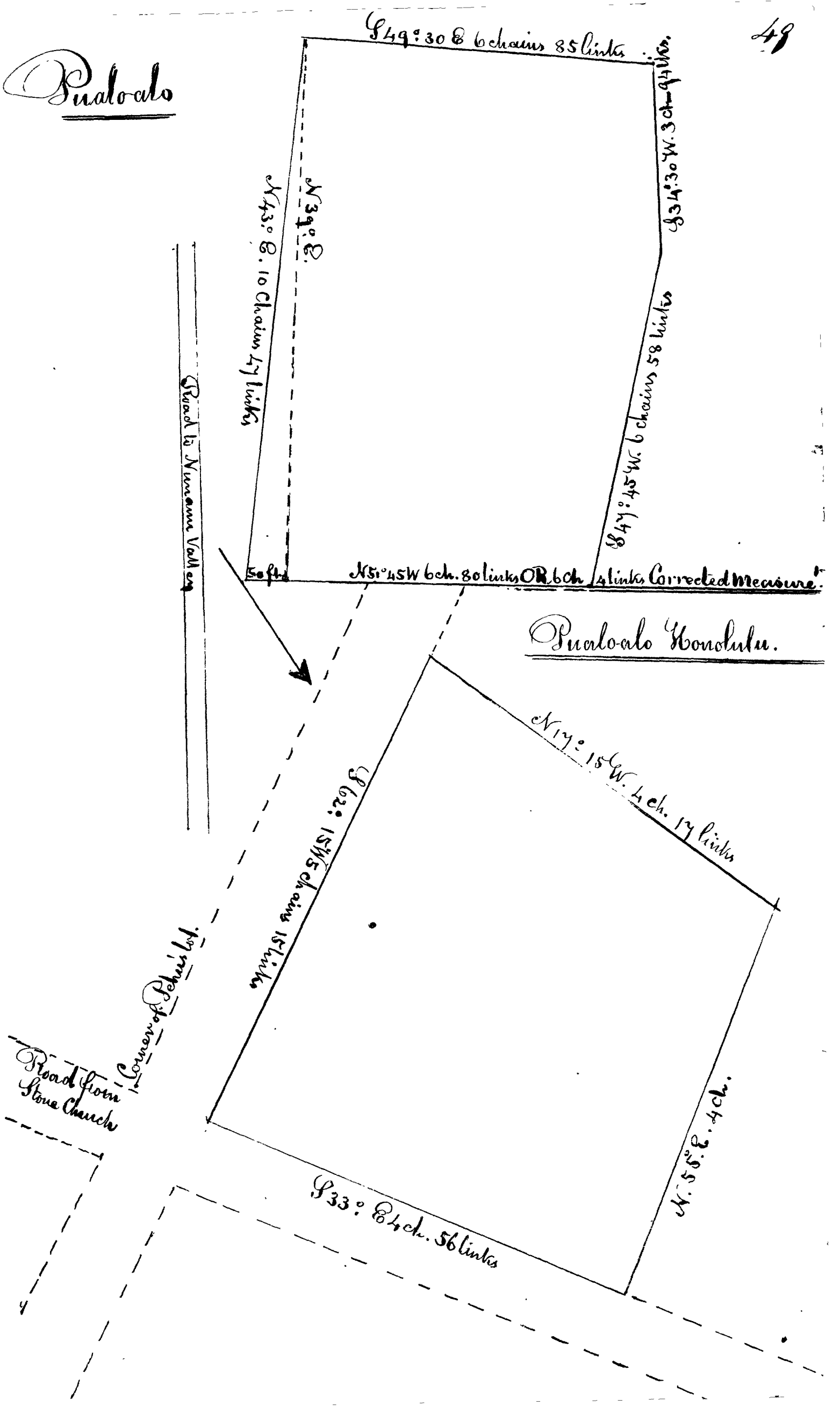
"Commencing at the West corner at a stake 75 links S and E from the South corner of Pehu's lot: it being also the East corner at the intersection of Roads: one leading from Stone Church (Mr Binghams) out in a South and Easterly direction. the other running in a direction of the Northern boundary of lot measured; and intersecting road leading from Stone Church to Waikiki, West of the Mission station; and running S. 33° East 4 chains and 56 links along east side of Road leading from Stone Church out in a South and easterly direction to stake. Thence N 55° E 4 chains along middle of bank dividing Fish Ponds, to stake. Thence N 17° 15 W. 4 chains and 17 links to road. Thence S 62° 15 W. 5 chains & 15 links along road to place of Commencement, including an area of

March 23. 1846. Acres 1. Rods 154. Links 371.

See Diagrams in Next Page.

——— And award to him a Freehold estate, less than allodial, which may be conferred in fee simple to Robert Boyd, the Claimants substitute, who is a Hawaiian subject; upon the payment of the Commutation of not more than $433.33 Cents: being the third part of the unimproved value of the property above described, as ascertained by Messrs Paty, Von Pfister and Hoolilioomann: the Commissioners appointed by this Board on the 8th April 1846.

Pualo-alo


S49°30 & 6 chains 85 links.
S34°30 W. 3 ch. 94 lks.
S47°45 W. 6 chains 58 links
N51°45W 6ch. 80 links OR 6ch 4 links Corrected Measure.
50 ft.
N43° E. 10 chains 47 links
N39° E.
Road to Nuuanu Valley
Pualo-alo Honolulu.
N17°15 W. 4 ch. 17 links
S62°15W 5 ch. 45 links
N. 55° E. 4 ch.
S33° E 4 ch. 56 links
Corner of Petus Lot.
Road from Stone Church

50

Board of Commissioners for Land Claims.
Adjudication of Claim N:2. Robert Wilday

		Dr.	
To Incidental Expences of advertising Claimants the	$		
public notice of Commissioners to quiet land titles			
to all; and of room hire while engaged in the in-			
-vestigation of their claims		1	
To action, motion, and adjournment of Commiss-			
-ioners in the matter of his claim 4th March 184[illegible]		1	
To Citation for Claimants attendance on the 11th Inst.			50
To Subpoena for D. Boyd			50
To draft of depositions reduced in relation to his			
Claim Fol: 3.		1	50
To action of Commissioners in the matter of his			
claim on 11th of March		1	
To draft minutes of testimony reduced in rela-			
-tion to his claim on 11th Inst. Fol 15		7	50
To engrossing copy of same		3	75
To action of Commissioners in the matter of his			
claim on the on 18th March		1	
To draft minutes of testimony reduced 18th Inst. in			
relation to his claim Fol. 6		3	
To engrossing Copy of same		1	50
To Mr. Metcalfs Bill of Survey		11	50
To engrossing Copy of same Fol 6		3	
To Appraisers Bill		18	
To Report of Commissioners this day rend-			
-ered on the above claim		5	
To engrossing Copy of the same. Fol: 19		9	50
Honolulu			
31st March 1847.	$	69	25
	deduct charge for engrossing Report	9	50
		59	75

State Honolulu
31 march 1847.

William Richards
A. G. Hiram Revere
John Ricord
D. Kaauwai
Frane Ke

delivered & acc-t paid.

Helu 3. - 6 Awarded to Mileka Keomailani & Enoka
6 Kaniau

Ke koi a Kaapuiki ma ka inoa
o na hoolina o Kawailepolepo.

Ia Kikihale

Ua koi mai o Kaapuiki i ka pa kahiko a pau o Kuihelani ka makuakane o Kawailepolepo, a na pohopoho i na hoike na mokuna o ia pa, mai ka pae ana mai o ke alanui ka hiko ma Kikihale malaila, holo pololei ma ke kahua maika o Kalanikahua, a malaila mai a kupono i ka wapo a Kaloka, holo pololei a hiki i ke kai, a o ka aoao maloko ma ka aoao makai o Kapuukolo, oia wahi a pau maloko o keia mau pu lena, no Kuihelani no ia, wahi a na hoike. Ua akaka no hoi o Kawailepolepo kana keiki a me kona hoolina, a ua akaka no hoi o Mileka Keomailani a me Enoka, o lana no na keiki a me na hoolina o Kawailepolepo, aka, aole i noho na hoolina ma ia pa no na makahiki 20 a keu aku wahi a na hoike, aole hoi i hoikeia mai ko lakou koi ana ia wahi no lakou, akahi wale no i keia manawa. Ua koe nae ia lakou ke kau wahi, Penei na Mokuna E hoomaka ana ma ke kihi Komohana Hema o ka pahale o Keomailani ma ua Kaniau; a moe aku ka aoao mua A. 63° Hi. 1 Kaulahao 12 kapuai, a hiki i kahi alanui aloli e he le ai i ka pa o Kaniau ma; huli He. 39° 30' Hi. 1 Kaulahao 40 kapuai 8 iniha, a hiki i ke kihi Hikina Akau o ka pahale o Leo gi; huli He. 56° 30' Ko. 1 Kaulahao 32 kapuai 8 iniha, a hiki i ke kihi Komohana Akau o ka pahale o Leogi; huli A. 30° Ko. — 9 kapuai 4 iniha, a hiki i kahi kekee o ka pahale o Kaleimamahu; huli He. 76° Ko. — 28 kapuai 8 iniha, hiki nou no i kekahi wahi kekee o ka pahale no o Kaleimamahu; huli A. 21° 30' Ko. 1 Kaulahao 52 kapuai 8 iniha a hiki i ke kihi Hikina Akau o ka pahale o Opunui; huli A. 65° 30' Hi. — 18 kapuai a hiki i ka aoao Komohana o ka pahale o Kaniau ma, alaila, huli i kahi i hoomaka ka'i He. 24° 30' Hi — 17 kapuai 4 iniha.

Eia koi ka. ili maloko- 1 ioma 4 roda

Eia hoi na palena o kekahi pa
E hoomaka ana ma ka lihi mauka o ka=
hi alanui olohi, e hele ai, i ka pa o Kani=
au ma, mai ke alanui kahawai mai, ma
ka aoao Komohana hoi o ka pahale o Ho=
omoeapule, a moe aku ka aoao mua A. =
36° Ko. – 7 kapuai 6 iniha, a piki i ke ki=
hi Kopohana Akau o ka pahale o Hoo=
moeapule; huli i ka A. 55° 30' Hi. 2 Kaula=
hao 11 kapuai 4 iniha, a hiki i kahi
kekee o ka pahale o Hoomoeapule; huli
i ka A. 31° 30' Ko. – 62 kapuai 8 iniha, a
hiki i ka lihi muliwai; huli i ka Ho.=
84° Ko. 1 Kaulahao 55 kapuai 4 iniha,
a hiki i kahi nakee o ka muliwai; hu=
li i ka A. 69° 30' Ko. – 53 kapuai 4 iniha
a hiki hou no i kekahi wahi anakee
o ka muliwai; huli i ka Ke. 64° Ko. – 56
kapuai 8 iniha, a hiki ma ka aoao ki=
kina mai o kekahi loko uuku ma ka
lihi muliwai no hoi; huli i ka A. 24° 30'=
Hi. 2 Kaulahao 43 kapuai 4 iniha, a hi=
ki i kahi kekee o ka pahale o Kaapui=
ki ma; alaila huli i kahi i hoomaka=
ai, A. 63° Hi. 1 Kaulahao 12 kapuai.
Eia hoi ka ili maloko- 2 ruda 19 roda.

Ua mau ka noho ana o na hoailina
o Kuihelani ma ia mau pa a piki i keia
manawa, nolaila, ua malu ia kuleana
malalo o ka helu akahi, he kuleana nui
hoi, aole nae alodio, a ukuia ko ke Au=
puni hapa, alaila, loaa ka palapala alo=
dio; a ma ia ano, ke hooko nei makou
ia mau pa no Mileka Keomailani a me
Enoka. Ua hoikeia mai no hoi o Kaapui=
ki ka mea i noho i ka pa mamua, a o
Kaniau ma ka pa hope, a ua mau no ko
lana kuleana malalo o Keomailani ma, he
kanai ole kakou.

Eia ka lana e uku mai ai no
ka hookolokolo ana.
No ka rumi a me ke pii ana i ka
olelo ma ka Nupepa $ 1. 00

No ka hana ana a na luna Maraki 4. 1846	1	53
No ke kope ana i na olelo a na hoike 400 olelo	2	
No ka palapala kii aku ia ia		50
No ke kope ana i ka olelo a na hoike i ka la 18 o Maraki	2	25
No ka palapala kii Aperila 22,		50
No ke kope ana i ka olelo a na hoike Aperil 1	2	25
No ka palapala kii Aperila 22,		50
No ke kope ana i ka olelo a na hoike Aperil 22,	1	50
No ka hoohalo loa ana i ka olelo	5	"
P. i loa,	16	50
No ka hana ana i ka la 18 o Maraki i ka la 1 o Aperila a me ka la 22 o Aperila 1846	3	"
No ke ana ana	2	
Pau loa - - -	$21. 50	

Honolulu
31 March 1847

William Richards

John Ricord

Z. Kaauwai

Laanahi

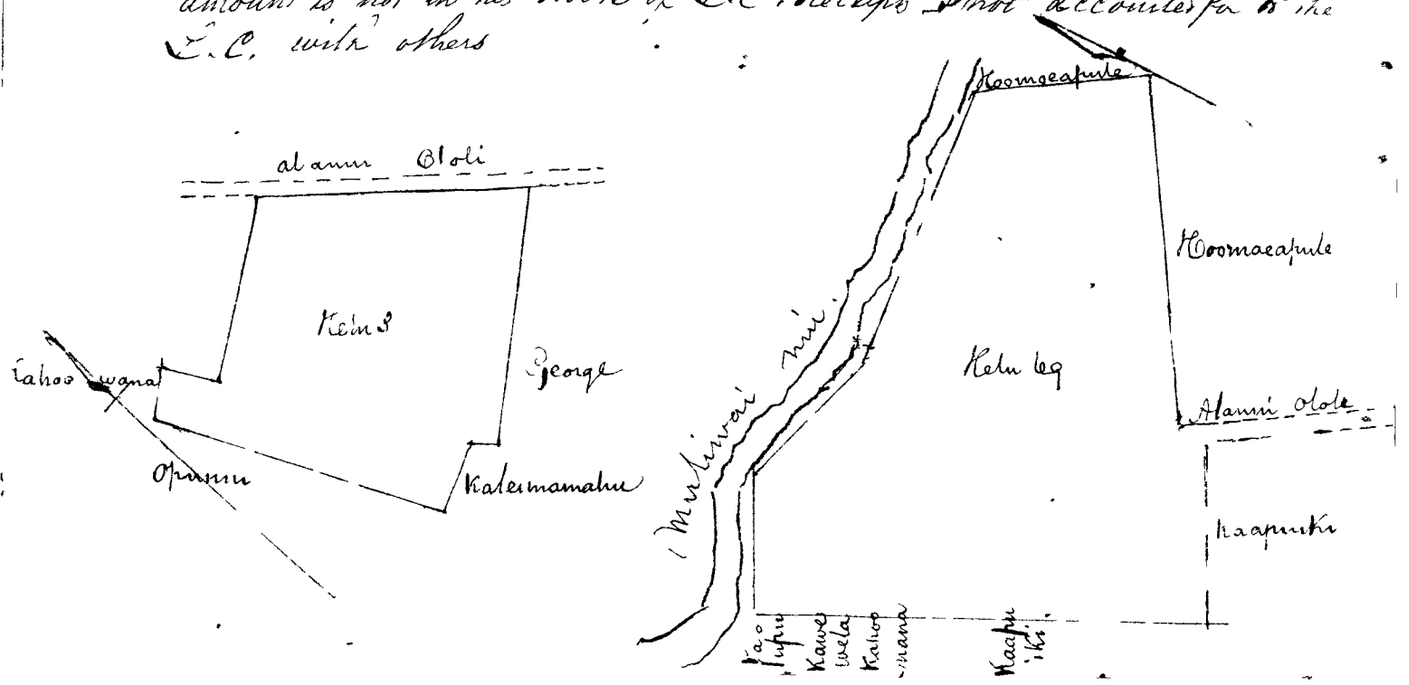
J. Y. Kanehoa

Delivered April 10 1848

Iwaro copied for the Head Stones

Mileka Komailani & Enoka - August 10 - 1862 not taken

The original Iwa has been produced this day 14 Jany. 1861 receipted by Wm Jarrett for the full costs $21.50 dated April 29. 1848 - which amount is not in his Book of L.C. Receipts & not accounted for by the L.C. with others



Claim N.o 4. George Pelly.

This claim is of simple complexion: it comes under the first rule established for the government of this Board.

The facts are well attested, and are briefly these;- William Pitt Karaimoku some time in the year 1823 or 1824 in the usual loose verbal way of the Country, gave James Robinson a plot of ground, comprising the site of this claim. Robinson occupied, enclosed, and improved it for six or seven years, and sold the portion described below for $400 to Richard Ridley on 2.d of August 1830; as appears from an original Bill of Sale on file.

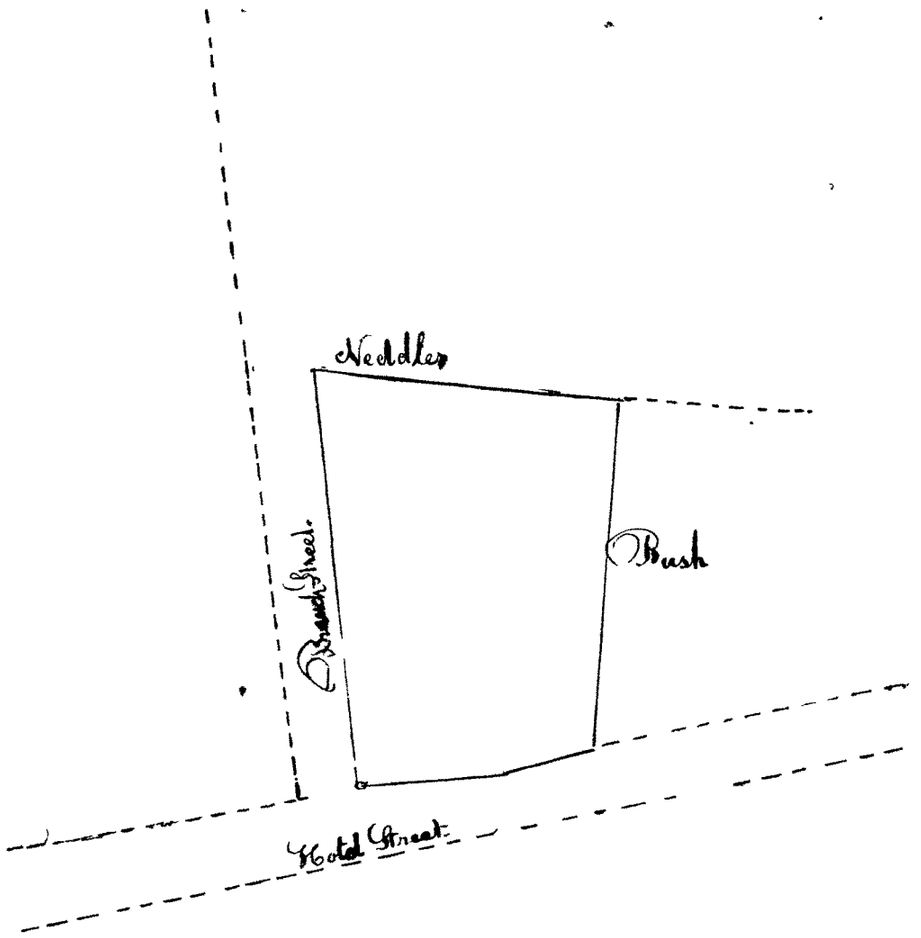
On the 6.th of February 1838 Ridley sold the same Premises to George Pelly for the Consideration of Seven hundred dollars; of which there is documentary evidence on file. The Claimant has ever since resided on the Premises, and greatly added to, and improved them, by building and otherwise, but without other title than what could be derived from the original verbal permission given by Karaimoku to James Robinson, in accordance with the Native Custom- viz- the tenure of the Country, as explained in the Principles adopted by this Board.

There are no private Native rights of occupancy in this plot; the boundaries of which have been ascertained and demarked by Theophilus Metcalf on the 27.th March 1846 as follows.

"Survey of George Pelly's dwelling house Lot in Honolulu

Commencing at the South West Corner of Lot measured, being the N. East corner, at the intersection of Branch Street, on West side of this Lot, and Hotel Street 23 links from corner of Alex.r Adams' lot on opposite side of Branch Street; and running N 81° 15' East 2 Chains 57 links along Branch Street to Corner of John Neddles' lot. Thence S. 49° 30' East 71 links along boundary line between this lot and John Neddles lot. to slight angle. Thence S. 47° 15' East 1 Chain and 9 links to N. West corner of Geo: Bush's lot. Thence S 43° 15' West 2 Chains

17 links along boundary line between Lot measured and George Bush's to Hotel Street. Thence N. 64° 45' West 63 links along Hotel Street to slight angle. Thence N. 62° West 74½ links to place of Commencement: including an area of Rods 58 Links 134.



We therefore confirm the Claimants right to a Freehold Estate in the Premises, less than allodial.

Board of Commissioners for Land Claims.
Adjudication of Claim No 4 George Pelly Dr.

	£	
To Incidental expences of advertising claimants claim by public notice of Commissioners to quiet Land titles to all; and of Room hire while engaged in the investigation of their claims		1
To Action, motion and adjournment of Commissioners in the matter of his Claim on 4th of March 1846		1
Carr.d over.	£	2

56

Bro! for'd	$	2
To draft of depositions reduced in relation to this claim fol 6		3
To Citation for his attendance on 25th Inst!		50
To action of Commissioners in the matter of his claim on 25th of March		1
To draft Minutes of testimony reduced on the 25th March in relation to his claim fol 2		1
Engrossing Copy of same		50
To engrossing Copy of Survey relating to this claim fol 2.		1
Report of Commissioners this day rendered on the above claim		5
	$	14

Honolulu
31st March 1847.

William Richards
J. G. Reinecken
John Ricord

Honolulu
31 March 1847

L. Kaauwai

Delivered 1 Apl 1847
Acc! paid.

Soanedi

Claim No 5. George Selly.

This claim is one of a peculiar character: being of that class, which may be denominated - forcible.

It appears from the testimony, that William S. Hinckley was in possession of certain unascertained premises, hereafter described; and transferred all his right in them to William French on the 6th April 1837; but what the right of Wm S. Hinckley was, which he thus transferred; does not appear; The Board are therefore

forced to believe it to have been a mere possessory right; according to the usages of the Country; since it abundantly appears, in numerous other cases examined by this Board, that the Native Chiefs, in their natural hospitality, were early in the habit of assigning pieces of land to foreigners who came to these Islands; in order that they might have some place of Residence.

The same course was always pursued, time out of mind, by the Chiefs who are Landholders, towards their dependants the natives of the Country.

From William French, the indefinite rights of Hinckley seem to have been transferred to George Pelly; who having, in the year 1838, preferred a complaint to the British Government; founded upon an attempt of the Rightful Chief to retake possession of this land from Hinckley & his transferee according to ancient usage; — his Brittanic Majesty's Sloop, Sparrowhawk, was dispatched to see him reinstated, without judicial enquiry, into his title.

Although no consideration was ever paid to the King & Chiefs by the original Possessor, Hinckley; — This Board does not regard it as essential to go behind the solemn act of the King and Premier, exhibited by the following document, which must be considered one of voluntary respect for the wishes of the British Government, since nothing appears to show actual compulsion; and no evidence of the Kings protestation exists. The Kings and Premiers free acts at that date, regarding the soil, we will not now question.

To G. Pelly. Honolulu Oct: 22. 1838

This is my thought to you: I give to you the Land of Captain Hinckley, in the valley of Nuuanu. The Place which Captain Hinckley surrounded with a wall — this is the place which I give to you to day.

It is correctly measured also, the length & the breadth of this piece of land; thus —

On the East	42 fathoms	the length.
On the South side	60¼	" "
On the West	58½	" "
On the North side	40¼	" "

And of this Piece of land I explain (it is) yours; — but of

your Idea - to take to yourself (Land) in this place and in that place, without my being informed: — this is not right, according to my thought.

Attend Sock G. Pelly — if this, my thought is plain to you, let me know it presently, that I may understand; then I will immediately build the part of the wall broken by me. This is my thought to you. Love to you.

Signed Kaahumanu II

To Capt: Shepherd; Commander of the Sloop of War Sparrowhawk.

I hereby express my approbation of what Kinau said to Capt: Elliott, respecting the land of G. Pelly; situated in the Valley of Nuuanu.

Kinau has already given said land to G. Pelly, and has performed what was promised respecting the land. All that Kinau promised respecting the Land, I conform accordingly to her act. Great Respect for you.

Oahu Sep.r 4.th — 39. Signed Kamehameha III

The Land thus surrendered to Mr. Pelly, with which he at the time, expressed himself satisfied; and with which Capt: Shepherd of H. B. M.s Sparrowhawk also expressed satisfaction; is definitely demarked and bounded in the letter of Kaahumanu II above quoted, to which the ratification of his Majesty, also above quoted, refers. This has, by order of the Board, been definitely admeasured by Theophilus Metcalf; according to the anana given in the Premiers letter as follows.

"Survey of George Pellys lot in Luakaha Nuuanu Valley: a short distance from his Majesty's Country Residence.

Commencing at North corner of dwelling-house lot, 1 Chain 60 Links from Centre of main road, on South & East side, and running South 60° 30 West 5 Chains and 50 Links along wall, parallel with main road, to West Corner of lot enclosed.— Thence S. 35° E. 5 chains & 6 links along wall to South Corner of lot, enclosed.

Thence N. 53°. 45 E. 2 Chains, along South eastern wall to slight angle; Thence N. 45°. E. 1 Chain and 82 links to slight angle. Thence N 31°. 30' East 1 Chain & 70 links to east Corner of lot enclosed. Thence N 31°. 30' West 3 Chains 80 links along wall to place of Commencement;- including an area of Honolulu March 28. 1846. Acres 2. Rods 14 6."

With this clearly described portion, the Board will not interfere, considering it to have been set apart to Mr. Pelly, by a solemn act of the King, and in the spirit of the liberal principles of adjudication upon which this Board was appointed We deem it right to give the largest meaning to the words of Kaahumanu II "I give to you the Land of Capt: Hinckley in the Valley of Nuuanu;"- which largest meaning would render it a fee-simple. Nor is there any thing in the 7th Ch. of part 1 of the act to organize the executive departments, which would operate to prevent Mr. Pelly, though an alien, from holding in fee-simple, what we consider to have been so granted to him, anterior to the passage of that law. Such a construction to his prejudice would be clearly ex-post-facto; and should not be made nor in fact will the phraseology of Section 3 of Article 2nd of Chap: 7 Part 1 of that Act, admit of debarring aliens, who may have acquired it, from receiving Patents in fee-simple, as if naturalized. We accordingly confirm so much of this land to George Pelly in fee-simple; subject, however, to his inability equally with Natives, to sell it in fee to any Person, not a native, or naturalized subject.

But it appears, the Claimant also sets up a right to extend his boundaries to those described in the following survey of Theophilus Metcalf: upon the allegation, that Mr. Hinckley had actually enclosed them, and included them in the others. This may have been the case: though when it is considered that the title of Hinckley to any part of the entire plot, is one only of sufferance, for which he originally paid nothing, and that the King and Premier were generously disposed to confer upon Mr. Pelly, at the demand of the British Government, what the Board have already consid-

-ered

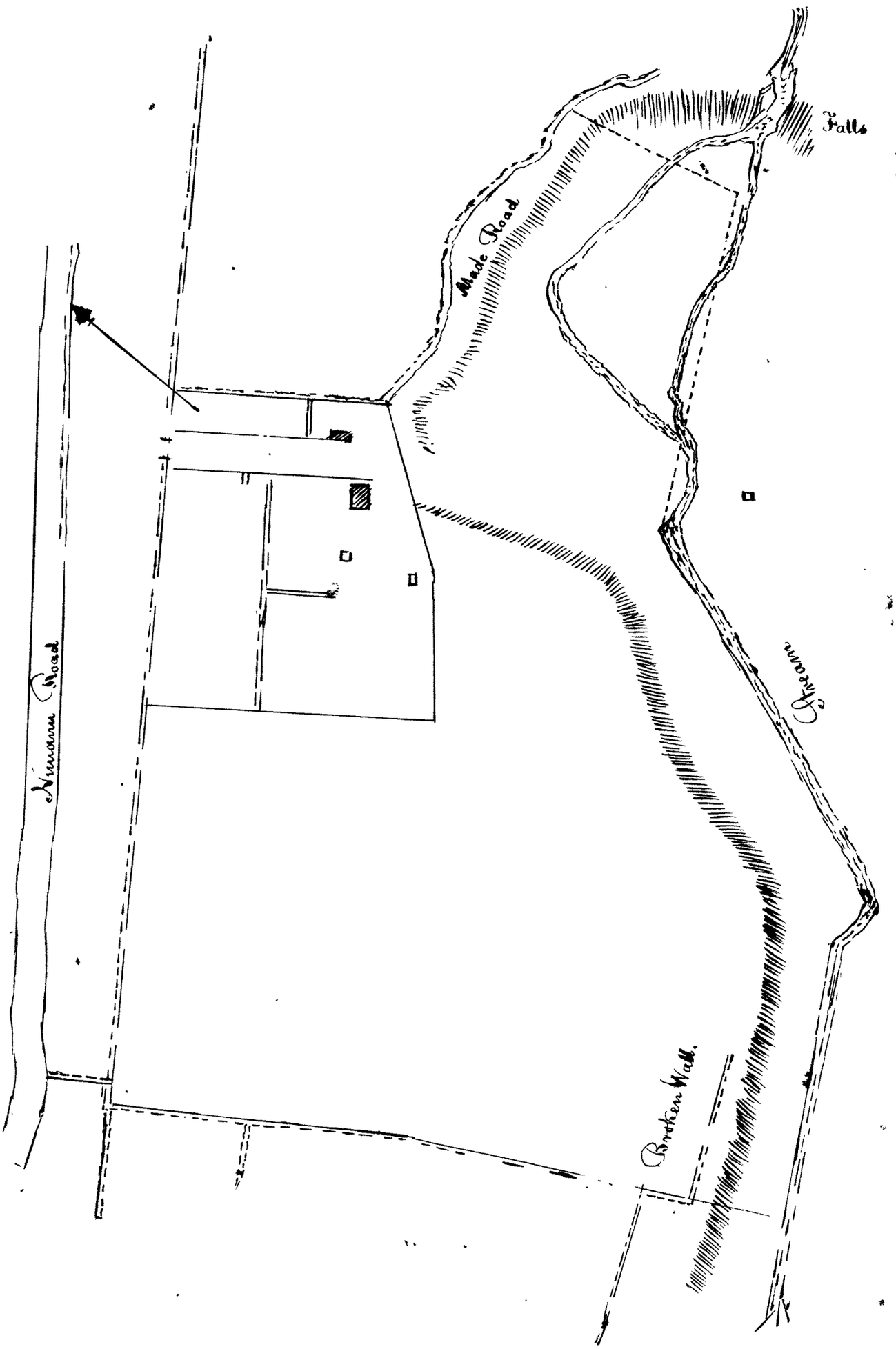
a Fee, in certain prescribed boundaries; with which Mr. Pelby, as well as Capt: Shepherd were fully satisfied.— This Board can perceive no just, nor even equitable reason, for now, upon a new allegation, extending the Kings gift to land which he did not Comprize within it.— Viz:—

"Notes of a Survey of all the Lands claimed by Geo: Pelby in Puakaha, Nuuanu Valley (Exclusive of the enclosed dwelling house lot.)

Commencing at North corner of dwelling house lot 1 Chain & 60 links from center of main road on S. east side and running S 60° 30' West 5 Chains & 50 links along Wall parallel with main road to West corner of lot enclosed. Thence S. 58° 30' West 6 Chains & 98 links along Wall, parallel with road to intersection of an old wall running to the South and Eastward, Thence S 29° 15' East 5 Chains along last mentioned wall to slight angle. Thence S 20° 15' East 6 Chains and 30 links to middle of stream, 5 links north of a large grim rock. Thence N 67° 30' E 6 Chains & 29 links along stream to angle in stream. Thence N 26° 15' E 6 chains and 64 links along stream to angle. Thence N. 69° 30' East 5 Chains and 95 links along south branch of stream to top of a large rock marked +. 80 links makai from bottom of falls. and 47 links mauka from an ohia tree situated a few feet to right of last line. Thence N 9° 30' West 3 Chains & 43 links to a large peaked rock situated on side of made-road, leading from Mr Pelby's house along bank around to falls. Thence S 78° 30' West 1 Chain & 19 links along made-road to angle. Thence N 81° West 1 Chain 48 links to angle. Then S 70° West 2 Chains to angle. Thence N. 80° West 1 Chain & 27 links to east corner of lot enclosed. Thence N. 31° 30' West 3 Chains 80 links along Wall to place of Commencement including, exclusive the enclosed dwelling house lot, an area of.

Acres 13. Rods 109

In all — Acres 16. Rods 95


Falls
Made Road
Newtown Road
Broken Wall

Yet as it appears, that since the 4th. September 1839 the claimant has used and occupied this additional portion of the land, in common with what was surrendered to him, through Capt: Shepherd, and has actually enclosed it: We Consider him equitably entitled to receive a life estate in it; or in other words, an Estate of Freehold, less than allodial; upon payment of what Consideration, hes Majesty may in Privy Council determine: and this We beg leave to recommend.

Board of Commissioners for Land Claims
Adjudication of Claim No 5 George Pelly. Dr.

		$	
To incidental expences of advertising Claimants the public notice of Commissioners to quiet land titles to all; and of room hire while engaged in the investigation of their claims (charged in 1st Cl.m)			
To action, motion and adjournment of Commissioners in the matter of this claim on 4th. March 1846		1	
To draft of depositions reduced in relation to this claim	Fol. 18.	9	
To Citation for attendance on 25th. of March			50
To draft Minutes of testimony reduced in relation to this claim on 25th Ins! & engrossing Cpy Fol 2		1	50
To action of Commissioners in the matter of this claim on 25th of March.		1	
To Surveyors bill - including Honolulu property in Claim No 4.		19	
Engrossing Cpy of same	Fol 5.	2	50
Report of Commissioners this day rendered on the above claim		5	
Honolulu 31st March 1847.			
	$	39	50

William Richards
A. G. Ramsden

John Ricord
D. Kaauwai
Boards

Delivered 2 April 1847
Alex' Davis

Claim No. 6. George Pelly.

William Blofsom it appears leased to Robert Robinson ~~and William Blofsom~~, the land hereinafter described, for the term of seven years: from the 7th of December 1841; for which rent was paid in advance. On 9th of May and 3rd of September 1842, Robinson and Blofsom, by seperate endorsements on the Lease, acknowledge to have been refunded the price of the term by George Pelly, to whom they transfer it. This term will ~~Ex~~pire on 7th of December 1848: during which there is no Rent exactable from the Claimant.

The main Enquiry is - to whom does the Land revert at the end of the term? The Board, in view of a counter claim set up by Wm Blofsom to the Freehold, waives for the present until testimony be adduced - this question, but nevertheless decides the title of George Pelly, for the unexpired term, to be good.

The description of the land is as follows;

" Notes of Surveys of two pieces of Land called Kumuohia for Wm Blofsom - leased at present by George Pelly - Palama. Oahu.

1st Cocoa nut tree place, commencing at buried Coral stone, at South Corner of this land; 2 feet mauka of old wall on mauka side of Helikukeles house; joining land, called Ainapuaa (Kanoa's) and running North 40° West 2 chains 30 feet along to end of old wall; and 6½ feet passed into stream. Thence North 35° 30' East 2 Chains 60 feet along stream called Neuhelewai to a rock on edge and at inlet of Cavern stream. Thence North 59° 30' East 52 8/12 feet along line between this land and Kuipakea (Wm Harbottles) to stone 2 feet makai of South Corner of Ninau's house. Thence South 77° 30' East 62 feet to stone angle. Thence North 78° East 3 Chains 8½ feet to stone, 4½ mauka of marked flat coral rock by path. Thence North 25° West 1 Chain to stone by Kalo patch. Thence North 58° East 1 Chain 22½ feet along Kalo patch to stone at mauka north corner of this Land, joining land called Pai-paialii (Naupala's) Thence South 15° 45 East 3 Chains 36½ ft. along Paipaialii, across low ground to newly planted Lauhala

bush. by path joining land called Kahualoa. Thence South 76° West 3 Chains 37 feet along Kahualoa to Stone 7½ feet above large flat coral rock. Thence South 63½° 30' West 3 Chains 35½ feet along Kahualoa and ainapuaa to place of Commencement. including an area of

March 10. 1847. Acres 2 Fathoms 179 Feet 29.

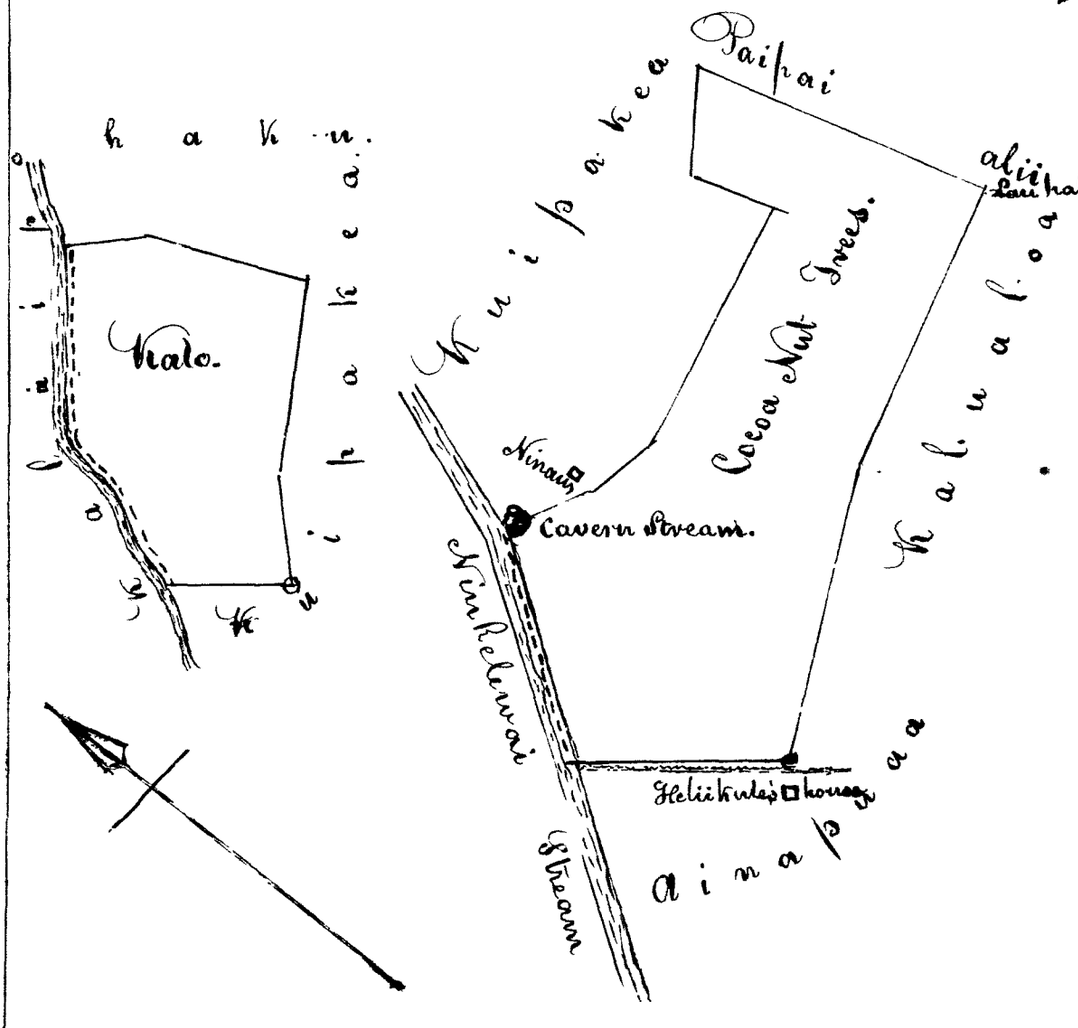
II.d Kalo ground, Maeha.

Commencing at Rock at South Corner of this land and running North 39° East 1 Chain 22½ feet along Kuipakea (Wm Hareboltles) to corner of Kalo patch angle. Thence North 56° East 2 Chains 13 feet along Kuipakea to east Corner of this land to Kalaipohaku. Thence North 25° 30' West 1 Chain 62 feet along Kalaipohaku to corners of Kalo patches angle. Thence North 49° 30' West along Kalaipohaku to stream. Thence following along down stream to West Corner of this land. Thence South 38° East 1 Chain 31 feet along Kuipakea to place of Commencement, including an area of

March 10. 1847. Fathoms 1083. Feet 28.

Signed T. Metcalf.

See Page 327 Blossom Wilson



Board of Commissioners for Land Claims
Adjudication of Claim No 6. George Pelly

Dr.

	$		
To action, motion and adjournement of Commissioners in the matter of this Claim on 4th March 1846		1	
To draft depositions Reduced in relation to this Claim Fol. 5		2	50
To Citation for attendance on 25th March			50
To Surveyors Bill relating to the present Claim		10	
Engrossing Copy of same Fol 4		2	
Report of Commissioners this day rendered on the above claim		5	
Honolulu 31st March 1847.	$	21	

William Richards
A.G. Ramsden
John Ricord
N. Kaauwai
Boane Ii

Claim of D. P. Penhallow

This is founded upon a Lease, dated October 2d 1840, from Kapihi, with the approval of the King and Premier, to Godfrey Rhodes, of the Land hereinafter described.

This original Native lease was assigned on the 27th of June 1845 to David P. Penhallow by Godfrey Rhodes, who also by a seperate indenture of concurrent date with the endorsed transfer, sold the unexpired term to said Penhallow upon the Conditions of the original lease.

The question arising, is not, Whether G. Rhodes had an estate for years in the Premises, which he could convey

to D. P. Penhallow; but simply; whether the land at this date, pertains to the heirs of Kapihi, the original Lessor or to the King.

This Board are of opinion, from the testimony, — that as Kapihi had but a native right of occupancy sub-modo in the Land; which native right, he by his lease to Rhodes, divested himself of, in Rhodes favor, in his life time; who in turn divested himself of it in favor of Penhallow: the present Lessee holds direct from the King, as the heir at law of Kapihi: his natural heirs, never having been in possession of the Land; so as to acquire the native title by occupancy.

We therefore award the remainder reversion and rents of this Land to his Majesty the King; as in his private right, subject to the lease of Kapihi to Rhodes; at present held by Penhallow.

The survey of this lot by Theophilus Metcalf is as follows:-

"Survey of D. P. Penhallows lot Honolulu.

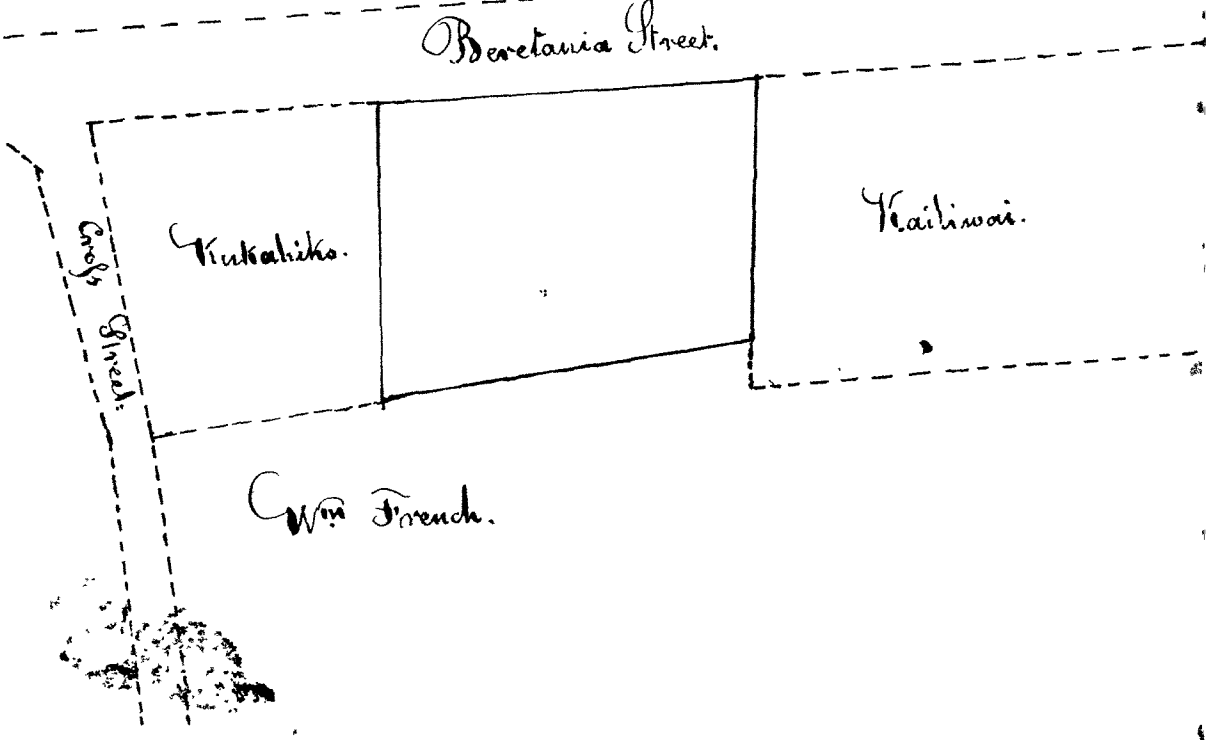
Commencing at N and West corner of said lot 1 Ch. 1 54 links easterly from intersection of Cross St. by Wm Frenchs, with Beretania Street, and running S 40° 45' East. 1 Chain & 95 links along Beretania Street to No West corner of Kailiwai lot. Thence S. 53° West 1 chain & 36 links along boundary line between lot measured and Kailiwai lot, to 1½ links east of east corner of Wm Frenchs lot. Thence N 45° West 1 chain & 95 links along boundary line between this & Wm Frenchs lot to south corner of Kukahikos lot. Thence N. 50° 30 East 1 Chain 54 links to place of Commencement, — including all the walls; except on the side of Wm Frenchs: — and excluding an area of

Honolulu April 9. 1846. Rods 45. Links 285.

Note — There is considerable difference in the former, or rather, original, description of the boundaries of this lot, and the present as pointed out by Piikoi. — though none in amount of area."

— A new lease ought, for greater certainty to be made by his Majesty's Chamberlain, direct to the claimant, upon

the same conditions, and for the unexpired time; unless his Majesty sees proper to receive a private commutation, and convey to the Claimant Hawaiian subject, in fee simple, by Royal patent.



Board of Commissioners for Land Claims.
Adjudication of Claim No 7. His Majesty the King — Dr.

To incidental expences of advertising claimants & the public notice of Commissioners to quiet Land titles &c all; and of Room hire while engaged in the investigation of their claims		1	
To action, motion and adjournment of Commissioners in the matter of this claim on the 4th of March 1846.		1	
Citation for attendance of Witnesses on 1st April			50
To draft of depositions reduced in relation to this claim	Fol 9	4	50
To draft minutes of testimony reduced & engrossed in relation to this claim on 1st April	fol 2	1	50
To action of Commissioners in the matter of this claim on 1st April		1	
To Surveyors bill of land claimed		6	
Carried over.	$	15	50

Bro't For'd	$	15	50
To engrossing Copy of Survey	Job 2	1	
Report of Commissioners this day rendered on above Claim		.5	
	$	21	50

Honolulu
31st March 1847.

William Richards
L. Kaauwai
John Ricord
Joaneki
I. H. Kanehoa

Delivered 1. April 1847
Paid by D. P. Penhallow £1. 5s for Copy & Stamps

Helu 8 — Kamaha lana o Puhiula.

Ua koi mai nei keia mau kanaka e hookoia no lana ka Pa a pau loa o ko lana makuakane, a na lawe mai lana i na hoike e maopopo ai ka nui o ia pa; a na maopopo no he pa nui kona a he kahiko loa no kona kuleana, aia i ke kau ia Kamehameha I.

Aole i like loa ka olelo a na hoike no keia kuleana. Ua maopopo nae ma ka lakou olelo, na noho o Mahune ma ia pa mai ka makahiki 1823 a hiki mai nei i keia manawa. Eia ka mea imi nui, o ke ano o kona noho ana, mamuli o Kamaha paha, mamuli o ke Aupuni paha. I ka olelo ana a kekahi hoike mamuli o Kamaha no, aka, i ka olelo ana a Kekuanaoa a me Paulo Kanoa, na akaka ka hookaawale ana o ko Mahune kuleana a me ko Kamaha lana o Puhiula.

Ma ke Kumukanawai na hoakakaia o Kauikeaouli I kekahi mea hiki ke hoolilo i ka aina, a na maopopo i ka olelo a Paulo Kanoa; nana no i hooholo i ka olelo e paa ia Mahune kona wahi e noho nei.

Ua like no hoi me ia ka olelo a Mataio Kekuanaoa, na hooko hou o Kinau no Mahune ia wahi. Nolaila, na maopopo ka lilo ana o ia wahi ia Mahune, mamua aku o ke kau ana i ke Kanawai o ka makahiki 1839, na ka mea ia ia ka olelo o ke Aupuni i hoolilo. Ma ia Kanawai, na hoomalu like ia na kuleana a pau loa, na hoomaluia ko Kamaha lana o Puhiula; a na hoomaluia ko Mahune. Nolaila, na nele lana i ko Mahune wahi; aka, o kahi i koe ia lana e noho nei, na malu no. Ua komo hoi ia kuleana iloko o ka Helu 1 o na olelo i hookoloia, a pela makou e hooko nei, [redacted] hoi na Mokuna

E hoomaka ana ma ke kihi Hikina Akau o ka pahale o Mahune, a moe aku ka aoao mua i ka H. 52°30' Ko. — 52 kapuai 8 iniha, a hiki i kahi makee o ka pahale o Mahune; huli i ka H. 62° K. 1 Kaulahao, a hiki i ke kihi Hikina Hema o kona wahi i lilo ai ia Mr. Makee; huli H. 36° K. 1 Kaulahao 53 kapuai 4 iniha, a hiki i ke

kiki Komohana Kema o ka pahale o Kaniku, huli i ka N. 55° Hi. - 25 kapuai 4 iniha, a hiki i ke kihi Komohana Akau o ka pahale o Kaiole; huli i ka H. 36° Hi. - 30 kapuai, a hiki i ke kihi Komohana Kema o ka pahale o Kaiole; huli i ka N. 53° Hi. - 63 kapuai 4 iniha, a hiki i kahi kekee o ka pahale o Kaiole; huli i ka N. 35° 30' Hi. - 8 kapuai 8 iniha, a hiki hou no i kekahi wahi kekee o ia pa; huli i ka N. 55° 30' Hi. - 11 kapuai 4 iniha, a hiki hou no i kekahi wahi kekee o ia pa; huli i ka N. 33° 30' Ho. - 8 kapuai 8 iniha, a hiki hou no i kekahi wahi kekee o ia pa; huli i ka N. 54° Hi. - 16 kapuai, a hiki i ka lihi makai o ke alanui hale pule, ma ke kihi Kikina Kema hoi o ka pahale o Kaiole, alaila, huli i kahi ~~[illegible]~~ i hoomaka'i i ka N. 38° Hi. 1 Kaulahao 34 kapuai.
Eia hoi ka ili maloko - 1 Ruda 3 Roda.

Nole alodio ko lana kuleana, ua pono nae ia lana ka palapala alodio ke uku lana i ko ke Aupuni hapakolu; e uku nae lana no ka hookolokolo ana a me ka hoohalo ana i ka olelo. penei

No ka rumi a me ke kai ana i ka olelo ma ka Nu Pepa	1	"
No ka hana ana i ka la 23 o Maraki 1846	1	"
No ke kakau ana i ka olelo a na hoike 1,500 kua olelo	1	50
No ka palapala kii		50
No ke kii ana i na hoike 4	2	"
No ka hana ana i ka la 15 o Aperila	1	"
No ke kakau ana i ka olelo a na hoike 400 kua olelo	2	"
No ka kele ana i kahi e e lawe i ka olelo a ka hoike	2	"
No ka hana ana i ka la 7 o Mei	1	"
No ke kakau ana i ka olelo a na hoike Mei 7. 100 kua olelo		50
No ke ana ana i ka aina	2	"
No ka hoohalo loa ana i ka olelo	5	"
Pau loa	$ 25	50

31 Maraki 1847

William Richards.
S. G. Kamoiwa
John Ricord
D. Kaauwai
Secretary

Helu. 8 Koasa Mahune ka mea kue ia Kamaha lana o Puhiula.

Ua koi mai nei o Kamaha lana o Puhiula e hooko makou no lana ka pa a Mahune e noho nei, a ua koi mai o Mahune nona ponoi no ia pa.

Aole i like loa ka olelo a na hoike no keia kuleana, ua maopopo nae ma ka olelo a na hoike, ua noho o Mahune ma kona pa mai ka makahiki 1823 a hiki mai i ka la i hookololoko ai. Eia ka mea imi nui, o ke ano o kona noho ana, mamuli o Kamaha paha, mamuli o ke Aupuni paha.

I ka olelo ana a kekahi mau hoike mamuli o Kamaha no, aka, i ka olelo ana a Kekuanaoa a me Paulo Kanoa, ua akaka ka hookaawale ia o ko Mahuna wahi a me ko Kamaha lana o Puhiula.

Ma ke Kumukanawai, ua hoakakaia o Kaahumanu I kekahi mea hiki ke hoolilo i ka aina, a ua maopopo i ka olelo a Paulo Kanoa nana no i hoohoio i ka olelo e paa ia Mahune kona wahi e noho nei.

Ua like no hoi me ia ka olelo a Mataio Kekuanaoa ua hooko hou o Kinau no Mahune ia wahi. Nolaila, ua maopopo ka lilo ana o ia wahi ia Mahune, mamua aku o ke kau ana i ke Kanawai o ka makahiki 1839 na ka mea ia ia ka olelo o ke Aupuni i hoohoi Ma ia Kanawai, ua hoomalu likeia na kuleana a pau loa: ua hoomaluia ko Mahune a ua hoomaluia ko Kamaha ma iloko o ka Helu 1 o ka olelo i hoohoiia e ka Ahaolelo, a pela hoi makou e hooko nei. Penei na mokuna.

E hoomaka ana ma ke kihi Hikina Hema o ka hale pohaku o Mr Rhodes, a moe aku ka awa mua i ka N. 29° 00' Hi. i Kaulahao, a hiki i ke ala-

nui Papu, huli i ka K. 50° 10' Hi. 2 Kaulahao 56 kapuai 8 iniha, a hiki i ka lihi makai o ke alanui hale pule; huli i ka K. 35° 30' Ko. — 39 kapuai 4 iniha, a hiki i ke kihi Hikina Hema o ka pahale o Puhiula; huli i ka Ke. 52° 30' Ko. - 52 kapuai 8 iniha, a hiki i kahi kanahua ma ke Puhiula pa; huli i ka K. 62° 00' Ko. 1 Kaulahao, a hiki i ke kihi Komohana Hema o ka Pa-hale o Puhiula, alaila; huli hou i kahi i hoomakaii i ka K. 57° 30' Ko. 56 kapuai.
Eia hoi ka ili maloko 34 Roda -

Eia hou keia pa o Bosa Mahune, oia pa hookahi no, na kaawale nae i ke alanui.

Eia na mokuna. E hoomaka ana ma ka lihi alanui Papu ma ke kihi Komohana Akau hoi o ka hale kuke o Kalauki Pake a moe aku ka aoao mua i ka K. 46° 00' 2 Kaulahao 15 kapuai 4 iniha, a hiki i ka lihi makai o ke alanui hale pule; huli i ka K. 46° 30' Hi. - 61 = kapuai 4 iniha, a hiki i ke kihi Hikina Akau o ka pa hale o Kamaki Amara; huli i ka K. 64° = 10' Ko. 1 Kaulahao 65 kapuai 4 iniha, a hiki i ke kihi Hikina Hema o ka Hale-Kuke o Kalauki Pake; huli i ka K. 56° 30' Ko. — 22 kapuai, a hiki i ke kihi Komohana Hema o ia hale kuke, alaila; huli i kahi i hoomakaii i ka K. 35° 30' Ko. - 20 kapuai 8 iniha. Eia hoi ka ili maloko, he 24 Roda, hui na roda 58 Roda.

Aole alodio keia kuleana o Mahune, aka, na kupono ia ia ka palapala alodio ke uku lana i ko ke Aupuni hapakolu.

Euku nae o Mahune no ka hookolokolo ana, a me ka hoohalo ana i ka olelo, penei.

No ka rumi a me ke pai ana i ka olelo na ka Nu Pepa	1	"
No ke kakau ana i ka olelo a na hoike 1500, olelo	1	50
No ka hana ana i ka la 8 o Aperila	1	"
No ke kakau ana i ka olelo a na hoike Aperila 8 — 400 olelo	2	"
	$ 4.50	

Kela aoao mai 11 50
No ka hana ana i ka la 29 o Aperila 1 "
No ke kakau ana i ka olelo a na hoike 3 50
29 o Aperila 700 huaolelo 2 "
No ke ana ana i ka pa 3 "
No ka hoohalo ana i ka olelo
$ 23.00

Pau loa
William Richards

Honolulu
31 March 1847

John Ricord
Z. Kaauwai
Joane Ke
J. J. Kaneakua

No ka mookupo o ka mahele ana o Boaza mahuna Nolaila, e lilo ana kela Kuleana i olelo ia mahuna ma ka hoikia o Boaza Mahune. Oia ka olelo i hoohaloia e ka Poe hoona Kuleana Aina.
Hale Hoona. By order of the Pres. W. Smith
May 7. 1849. Secretary.

Pahalahua No 10,800
Malaopu 10800 B Confirmed Heirs - See Test V. P. 117 B 13 Les
(not awarded as such)

C. No 533 Kekupuohi. Counter to the above -
becomes by the above decision - extinguished, if Correct

Claim No 9. Stephen Reynolds.

This Claim is in two divisions: the first division resting on written documents; signed by Kaiwi, Kalua, and Ulualoha; which documents were verified by the oral testimony of Z. Kaauwai and John Ii; the second division resting on a Bill of Sale from Alexander Smith who purchased of Kaupena.

There has been no evidence exhibited in relation to either of these divisions, that the King, or any person acting in his behalf, has ever alienated the Government right in the soil. It appears that the different parties held by the usual native tenure; and all the rights which they acquired by occupancy, or by purchase from other occupants, they have sold to Mr. Reynolds: but as the evidence of renunciation on the part of the crown is wanting, the right cannot be considered as allodial.

The Claimant requests that the allodial title may be conferred upon his son Edward Jackson Reynolds, an Hawaiian subject: To this, there appears no legal objection, such fundamental title being in the Government: upon payment of one third the unimproved value of the Land, to be appraised for that purpose, by order of the Minister of the Interior.

Otherwise, We confirm it to the Claimant as a freehold estate, less than allodial.

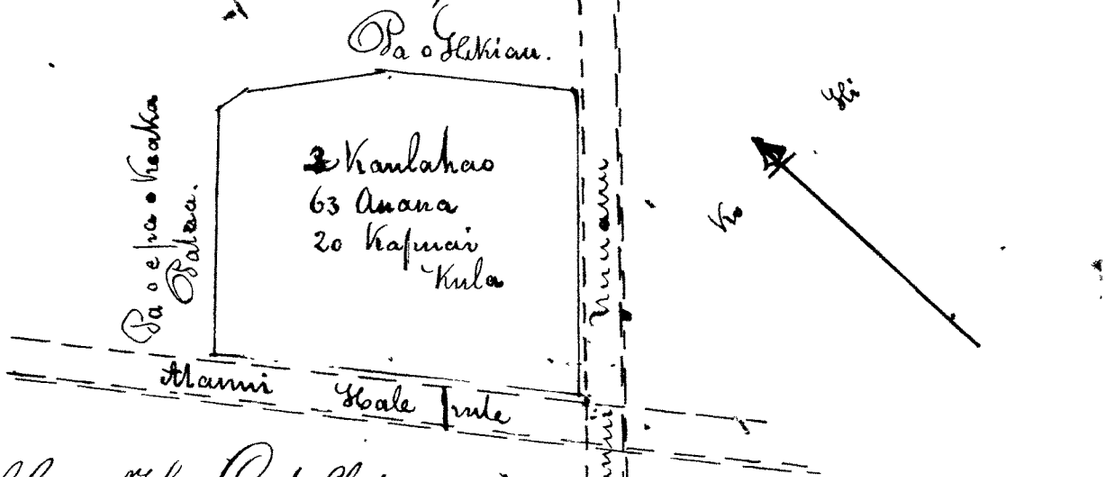
Metes and bounds are described as

"A certain lot or lots of ground, in the Village of Honolulu, lying on the street, leading over the River to the Palama (142 feet) thence North easterly by land of Natives 94 feet: thence by land of Natives South easterly 62 feet (lot A) to the Street leading to Nuuanu 75 feet (lot B) thence by said street South Westerly (lot B 82 feet) to the Corner first mentioned (continued in lot A 25 feet) 107 feet.

Boundaries as described by survey of Mr. Richardson

"E hoomaka ana ma ka lihi mauka o ke

alanui kalepule, ma ka aoao akau o ke alanui pii i Nuuanu, a moe aku ka aoao mua i ka A. 35° K. a hole aku 2 Kaulahao 11 Kapuai 2 Iniha ahiki i ke kihi Komohana hema o ka pahale o Palia, huli i ka A 50° 30' Hi, a hole aku 1 Kaulahao 27 Kapuai 8 Iniha, a hiki i kahi kanahua o keia pa, e pili ana hoi i ko Keaka wahi: eia na huli ana mai laila. Ke 82° Hi. 8 kapuai 7 iniha; huli i ka He 48° 30' Hi. 54 kapuai 2 iniha, a hiki i kahi anakee o ka pa o Hikiau, huli i ka He 36° 30' Hi. a hole aku 1 Kaulahao 11 Kapuai 2 Iniha a hiki i ka aoao akau o ke alanui o Nuuanu, ma ke kihi Komohana hema hoi o ka pahale o Hikiau, alaila; huli i kahi i komoka i He 48° 30 Hi. a hole aku 1 Kaulahao 50 Kapuai 8 Iniha, a puni ka pa. Eia hoi ka ili malokoo keia pa 2 Kaulahao 63 Anana 20 Kapuai.



Board of Commrs for Land Claims.

Adjudication of Claim of G. Stephen Reynolds

		Dr	
To incidental Expences of advertising claimants & the Public Notice of Commrs to quiet land titles &c all; & of room hire while engaged in the investigation of their claims	$	1	
To action, Motion & adjournment of Commrs in the matter of this claim on 23d of March 1846		1	
To draft of deposition reduced in relation to this Claim Fol: 13		6	50
To Citation for attendce on 15th Apl. 1850 & action of the Board $1		1	50
To draft & engrossed Fol 1			75
To Bill of Survey $5 - engrossing Survey Fol 3 - $1.50		6	50
Report of Commissioners this day rendered on the above Claim		5	
	$	22	25

Honolulu
14th April 1847

William Richards
John Ricord
G. Kamehameha
L. Kaanaana
Lot Kamehameha

Delivered 8 Apl 1848
Amended acct Paid less by order of the Board $5.

Claim No. 10. Harriet Blanchard.

The facts of this case, as elicited by the Board, are, that Captain William Blanchard arrived in these Islands in the year 1829. He established himself by hiring Holmes' stone building in Honolulu, where he continued to carry on mercantile business, until the Summer of 1831. That he acquired the Premises in question, & built two houses upon them in the Summer of 1831; declaring it, at the time to be his intention so to build, for the use of his Child, the present Claimant.

He is believed to have obtained the land from Governor Adams; at that time directing the Executive affairs of the Island of Oahu. It is therefore, conclusively of the Public national domain, and must be concluded to have come from Governor Adams, in his Executive capacity.

There are no native possessory rights incident to the tenure, and it may be commuted into a fee simple in the hands of Harriet Blanchard, a native subject; upon payment of one third of the unimproved value of the Land, to be appraised by order of the Minister of the Interior.

Wherefore we confirm it to the Claimant as a freehold estate, less than allodial.

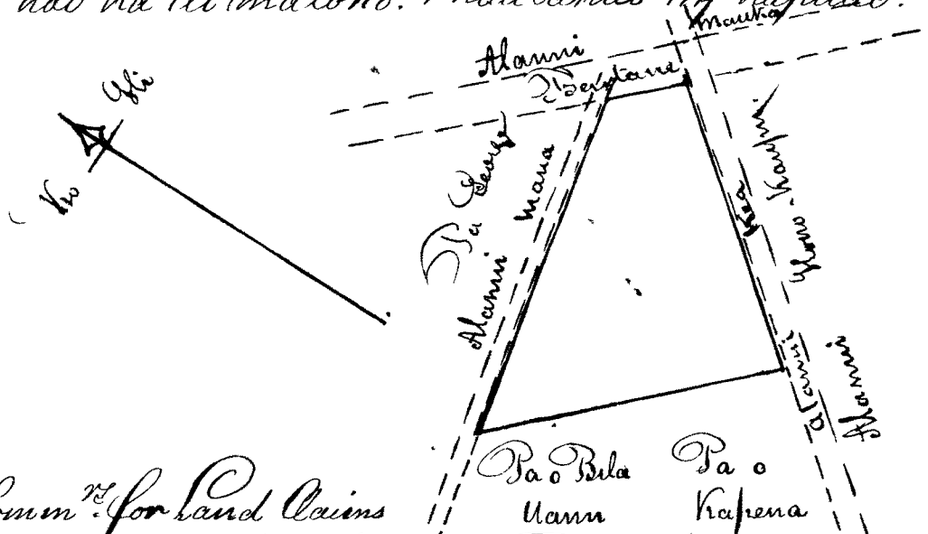
The Boundaries are described as follows

"A lot of land lying in Honolulu, beginning on the street leading from the Printing Office, past the Residence of Wm French, by the corner of the Premises now occupied by John Ladd (said to belong to the heirs of the late John Ebbetts); running along said street 118 feet to Back Street. Thence along Back Street 25 feet to the street leading past Hiram Grimes, thence along said Street leading past Hiram Grimes, 142 feet to the land before mentioned as belonging to the heirs of the afore said John Ebbets; thence along said land to the Corner first mentioned, including the partition mud wall 116 feet.

Boundaries as described by Survey of Mr Richardson.

" E hoomaka ana ma ka aoao hema o ke alanui e moe ana ma ka aoao hema o ka pahale o George a hiki i ke alanui mauka, ma ke kihi kikina akau loi o ka pahale o Bila Uanu kere waki i hoomakai, a moe aku ka aoao i ka A. 78° 15' Hi. 2 Kaulahao 11 Kapuai 10 Iniha, a hiki i ka kihi makai o ke alanui mauka; huli i ka He. 45° 30 Hi. 28 Kapuai 6 Iniha, a hiki i ka aoao akau o ke alanui honokaupu; huli i ka He 41° 00 K. 1 Kaulahao 52 Kapuai 4 Iniha a hiki i ke kihi kikina hema o ka pahale o Kapena; alaila huli i kahi i hoomakai i ka A. 45° 15' K 1 Kaulahao 51 Kapuai 8 Iniha.

Eia hai ka ili maloko. 1 Kaulahao 119 Kapuai.



Board of Commrs for Land Claims

Adjudication of Claim No 10. Harriet Blanchard Dr

To Incidental expences of advertising claim & the Public notice of Commrs to quiet Land titles to all; & of room hire while engaged in the investigation of their Claims	$ 1	
To action, motion & adjournment of Commissioners in the Matter of this claim on 23d of March 1846	1	
To draft of depositions reduced in relation to this claim Fol 4	2	
To citation for attendance on 15th April		50
To draft testimony reduced & engrossed on 15th April Fol. 2	1	50
To action of the Board in the Matter of this claim on 15th & 22d	2	
To 4 Subpœnas issued for attendance of Witnesses on 22d April	2	
To draft testimony reduced & engrossed on 22d April Fol 4	3	
To Bill of Survey 85. engrossing Survey Fol. 3. $1.50	6	50
Report of Commissioners this day rendered on the above Claim	5	
	$ 24	50

William Richards
John Ricord
S. G. Ranchea
D. Kuamuai
Joanaki

Honolulu
14th April 1847

Delivered 8 Apr 1848
Amt acct paid. less $9.50.

Claim N°11. Rebecca M. Johnstone.

The Land upon which this claim attaches, belongs undisputedly to the Hawaiian Government by actual purchase of a right in it conveyed by Government originally to Mr. Diell, P. C. Brinsmade & the Sandwich Islands Mission; which was resold to the Government by the secular agent of the mission; after which it was leased to the Claimant for thirty years, from 21.st November 1845.

There appears to be no native peasantry upon the land.

We Consequently confirm it to the Minister of the Interior, subject to the unexpired term of Mrs Rebecca M. Johnstone; and according to the following boundaries.

"Situated in the valley of Nuuanu, north of land leased by Rev: Lowell Smith, & commonly known as Mr Halls' place; Commencing at the Western Corner of a Stone fence, between this lot, and a lot leased by Rev: L. Smith; running from thence South 55.° East 226½ feet along said lot of Rev: L. Smith to the Land of James Robinson. thence running North 30.° East 252 feet, along the land of James Robinson to land owned by Natives. thence running North 62.° West 83 feet along said land of Natives, thence running South 60.° West 45½ feet to the rear of Mrs Johnstones Cook house, thence running North 35.° West 71 feet along lands of Natives, to the northern corner of the Stone fence. thence running South 40.° West 217½ feet to the place of beginning.

Board of Commissioners for Land Claims
Adjudication of Claim N°11 H.M Government Dr.

	$	¢
To incidental expences of advertising Claimants the Public notice of Commissioners to quiet Land titles to all; and of room hire while engaged in the investigation of their claims	1	

Carr.d over.

Bro! For.d	$	1	79
To action, motion, and adjournment of Commissioners in the matter of this claim on 23.d March 1846		1	
To draft of depositions reduced in Relation to this claim Fol: 6		3	
To Citation for attendance on 15.th April			50
To draft testimony reduced on 15.th Ins.t & engrossed Fol: 3		2	25
To subpoena for attend.ce of G. P. Judd Esq.r			50
To action of Commissioners in the matter of this claim on 15.th Ins.t		1	
Report of Commissioners this day rendered on the above claim		5	
	$	14	25

Honolulu
14.th April 1847.

William Richards
John Ricord
J. Y. Kanehoa
L. Kaauwai
Lorenzo

delivered and acc.t for
Copy and stamp $3.50 paid 2 June 1848

Claim No 12. Kaeo. (of Hilo) postponed for further evidence

Claim No 13. Nakookoo - Withdrawn.

Helu 14. Kalama he wahine

Ua koi mai nei o Kalama i hoihoi ia ia kapa kahi ana i noho ai mamua. Ua hai mai i oia i kona noho ana malaila i 30 makahiki me ke keakea oleia, a i ka la 9 o Maraki 1846 lawela, wawahiia kona hale a kipakuia oia.

I ka hookolokolo ana, oia na mea i hoakaka ia mai ma na waha o na hoike.

Mamua loa i ke kau ia Kamehameha I 1816 noho o Kahiamoe ma ua pa nei mamuli o Kalaimoku, no ka mea, he kanaka ia no ka papu, a hoonoho o Kalaimoku ia ia ma ka hi kokoke, a ia manawa ua olelo no ka pa ua wahi la a pau loa e pili ana. Mahope iho hoi o Kahiamoe i Hawaii a noho kona

kaikaina o Holoknalani i kanaka no ka Papu, a haawi kona kaikuaana ia kona wahi ia ia, a noho no oia malaila a make, a mau no ka noho ana o kana wahine, mahope o kona make ana, aka, ua ae mai o Kalama o Kailio ke keiki a Kahaanapilo kahoolilina, ana koi mai oia i ka pa na kona inoa me ka ae mai koi o Kailio, e like me kana i olelo mai ai imua o makou.

Ua koi mai no koi o Mataio Kekuanaoa nona na pa nei; aka, ua olelo mai oia na pili i ka pa, nolaila, na pili i ke Aupuni, aole pili ia ia. Ua i mai no koi oia na Kaahumanu I i pai ia Liliha ma no ke ano kipi. Ina i hana hewa o Liliha i ke Aupuni; a nolaila paiia, na maopopoloa na lilo mai kona i ke Aupuni; a na lawe no koi o Kaahumanu i mea e pono ai ka papu. Aka, ua mau loa kanoho ana o Kalama ma ma ia pa a hiki i ka la 9 o Maraki 1846, a nona no ka hale ana i noho ai, aole na Kekuanaoa i kukulu, aole ia i hana i ka pa. Oia na mea i loaa ia makou ma na waha o na hoike.

Nolaila, na maopopo keia. No ke Aupuni ke kuleana nui ma ia pa. He hapakolu ko ke Aupuni, e like me kona hapakolu iloko o na aina a pau, a no ke Aupuni koi ka lua o ka hapakolu i waiho e noho ai ke kanaka o ka papu, he kuleana alodio koi ko ke Aupuni, a pela koi makou e hooko nei. No ke Aupuni no ia pa. Ia Kailio nae ka noho pa e like me ka hoomalu ana o ke Kumukanawai. Penei koi na mokuna o ia pa.

E hoomaka ana ma ka lihi mauka o ke alanui makai ma ke kihi Komohana Akau koi o ka pahale o Kapoo, a moe akea ka awa o mua i ka N. 40°30' Hi. 3 Kaulahao 27 kapuai Laiuiha a hiki i ka lihi makai o ke Alanui Kalakuai ma ke keiki Kikina Akau o ka hale lepo o Kapeau

huli i ka N. 43° 00' K. 1 Kaulahao 20 kapuai 8 iniha. Holo aku no keia avao ma ka lihi makai o ke alanui Hale Kuai, a hiki i ka avao hema o ke alanui Papu, huli i ka He. 51° 00' K. 3 Kaulahao 21 kapuai 4 iniha a hiki i kahi anahua o keia ha, e pili ana no ia wahi i ke alanui Papu: Eia na huli ana ma-laila, i ka N. 32° 30' K. – 8 kapuai, huli i ka N. 13° 30' K. – 8 kapuai, huli i ka N. 70° 00' Hi. 10 kapuai a hiki i ka lihi mauka o ke alanui makai, alaila huli i kahi i hoomaka'i i ka N. 51° Ka. 1 Kaulahao 40 kapuai 8 iniha. Eia hoi ka ili maloko. 2 ruda 9 roda.

Na ke Kuhuni e uku mai no ka hookolokolo ana a me ka hoohalo ana i ka olelo, penei.

No ka rumi a no ke pai ana i ka olelo ma ka Nu Pepa	1	"
No ka hana ana i ka la 25 o Maraki 1846.	1	
No ke kope ana i ka olelo a na hoike 200 olelo	1	
No ka hana ana i ka la 22 o Aperila	1	
No ka palapala kii		50
No ke kope ana i ka olelo a na hoike 300 huaolelo	1	50
No ka hana ana i ka la 10 o Mei	1	"
No ka hana ana i ka la 12 o Mei	1	"
No ka palapala kii ia Kekuanaoa		50
No ka hana ana i ka la 24 o Mei	1	"
No ka hana ana i ka la 16 o June	1	"
No ke kope ana i ka olelo a na hoike 300 huaolelo	1	50
No ka hoohalo ana i ka olelo	5	"
No ke ana ana	2	"
	$19	00

Pau loa.

William Richards
John Ricord

L. H. Kaunuai
[illegible]
G. Kaneakua

Award completed page 178.
and delivered 10 May 1848 Costs $19.50

Claim No 15. Keoni Kalauna - postponed for further evidence

Claim No 16. Eli Jones.

The derivation in this case We find to be as follows:-
The land seems to have been obtained by William P Hinckley from John Adams, then Governor of Oahu. Hinckley being unable to pay for buildings erected upon it by him, transferred the land to William French, who, having built upon it, and improved it, sold it, with the Governors consent, to Thomas Cummins, who, it appears, on the 27th of July 1841, transferred his interest in it, to the Claimant.

The principles are the same as are minutely particularized in Claim No 17 of this Claimant.

This Land comes within the provisions of the first rule; which entitles the Claimant to acquire a freehold estate, less than allodial.

There are no native claimants. The allodium and the power to confer title, is in the Minister of the Interior.

The boundaries are:

"situated in the village of Honolulu, bounded on the North west side by the house, known as the Pagoda, 63 feet; on the South West side by the street, dividing the Premises hereby described, from the store & premises now occupied by Francis H. Greenway 58 feet 9 inches. On the South east side, by the street dividing the said premises from the stone store of Thomas Cummins, 45 feet 6 inches, and on the North east side, by lands in the occupancy of Natives 72 feet"

195 fathoms / calculation by Metcalfe

Board of Commissioners for Land Claims
Adjudication of Claim No 16 Eli Jones.

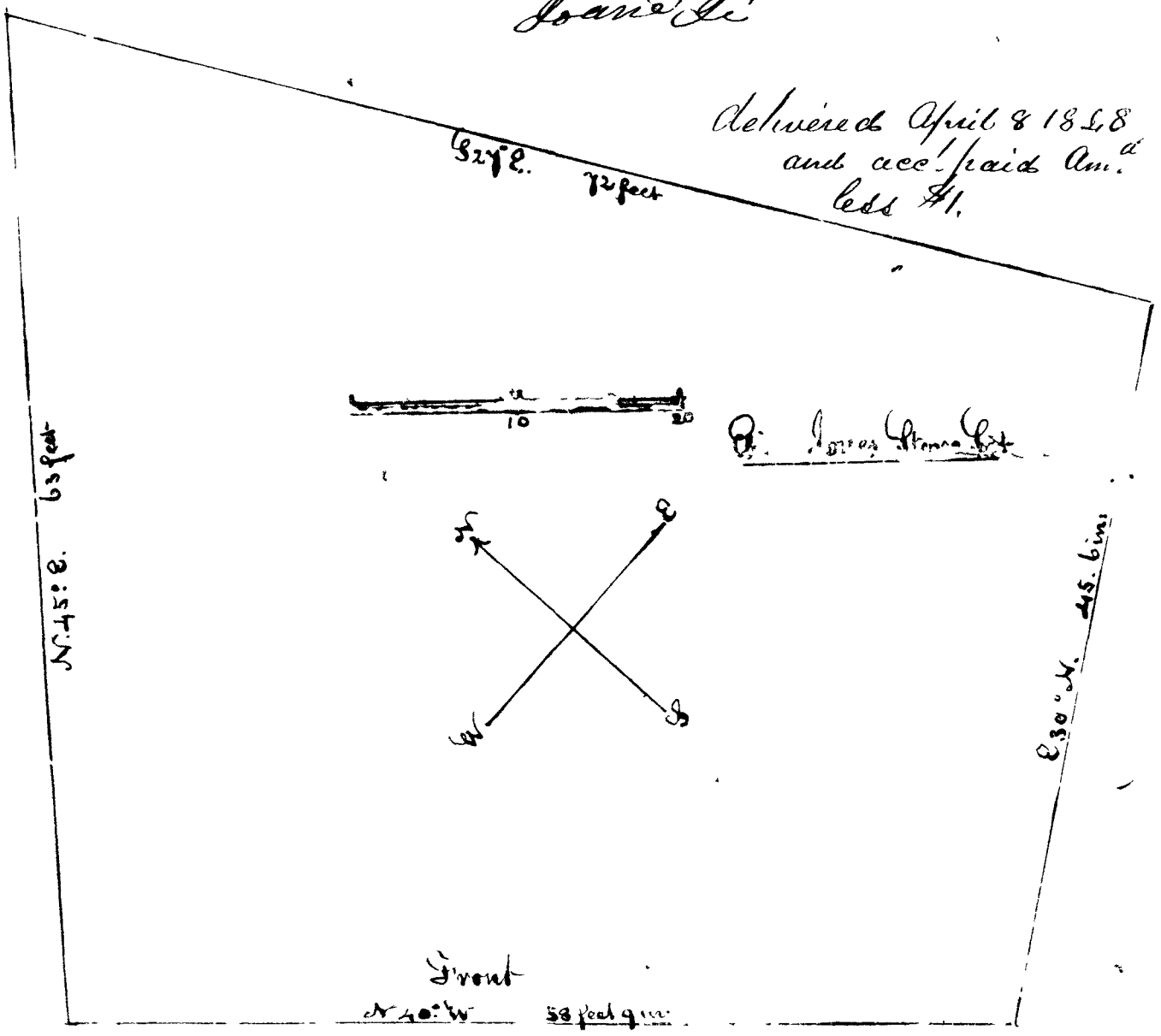
To Incidental Expences of advertising Claimants the Public notice of Commissioners to quiet-

land titles to all; and of room hire while engaged in the investigation of their claims	$	1	
To action, Motion and adjournment of Commissioners in the matter of this claim on 8th April 1846		1	
To draft of depositions reduced in relation to this claim № 16.	Fol. 5	2	50
To Citation for his attendance on the 29th of April			50
To action of Board in the matter of Claim № 16. on the 29th of April		1	
To draft testimony reduced on 29th Inst. in relation to this claim and Engrossed	Fol. 2	1	50
To transcribing a Copy of Claim № 16, with plan of same for Claimants use	Fol. 5	2	50
Report of Commissioners this day rendered on the above claim		5	
	$	15	

Honolulu
14th April 1847.

William Richards
J. Y. Kanehoa
John Ricord
L. Kaaiahuai
Joane Ii

Delivered April 8 1848
and acc.d paid Am.t
less $1.



Claim N°17. Eli Jones

This claim rests simply on a deed executed by Luther Wright, dated 28th October 1837; conveying the Premises to Eli Jones and Alexander Muir. What the title of Wright, the Grantor, had previously been, does not appear; further than, that he was at the time above stated in possession; and had made improvements.

It is one of those verbal titles of the Country, resting upon tacit permission and generous allotment of land, made by the Chiefs in so many past instances to Foreigners. This is the more evident, since Wright the Grantor, and Jones & Muir the Grantees, seem to have thought it necessary, before concluding their bargain, to seek Kinau the Premier, and give her the option of purchasing; in accordance with the so-called Treaty between this Government and Lord Edward Russel; which declares, as testified by the Witness T. A. Brinsmade that "No Foreigner should be allowed to sell his premises to another Foreigner without first offering it to the refusal or acceptance of the Government." This is a direct admission on the part of Wright, who was about to sell; and on the part of the Claimant, who was about to buy; that possessory titles like his, were incomplete; and never amounted to Fees. Such is also the admission conveyed by the above recited clause of the so-called Lord Rufsel treaty. as early as 1837.

The Claim of Jones and his Co-owner Alexander Muir, derived from Wrights deed, only what Wright had at the time; without regard to the solemnity, or Journal wording of that Instrument. Thus was the possessory right under the existing usages of the Country; and no more; nor could Wright convey more to the Claimant and his Colleague:

"No greater estate can pass, than the Grantor had at the time" 2 Blackstone Com: 296.

Consequently: although this claim rests upon a written evidence of Title, it is not a written evidence

of the title of Wright, the Grantor; but simply of the Claimant from Wright. Wrights title, which is the gravamen of enquiry, rested, and still rests upon unwritten or verbal possession, and the usage of the Country. It comes by Consequence, under the first rule established for our adjudications

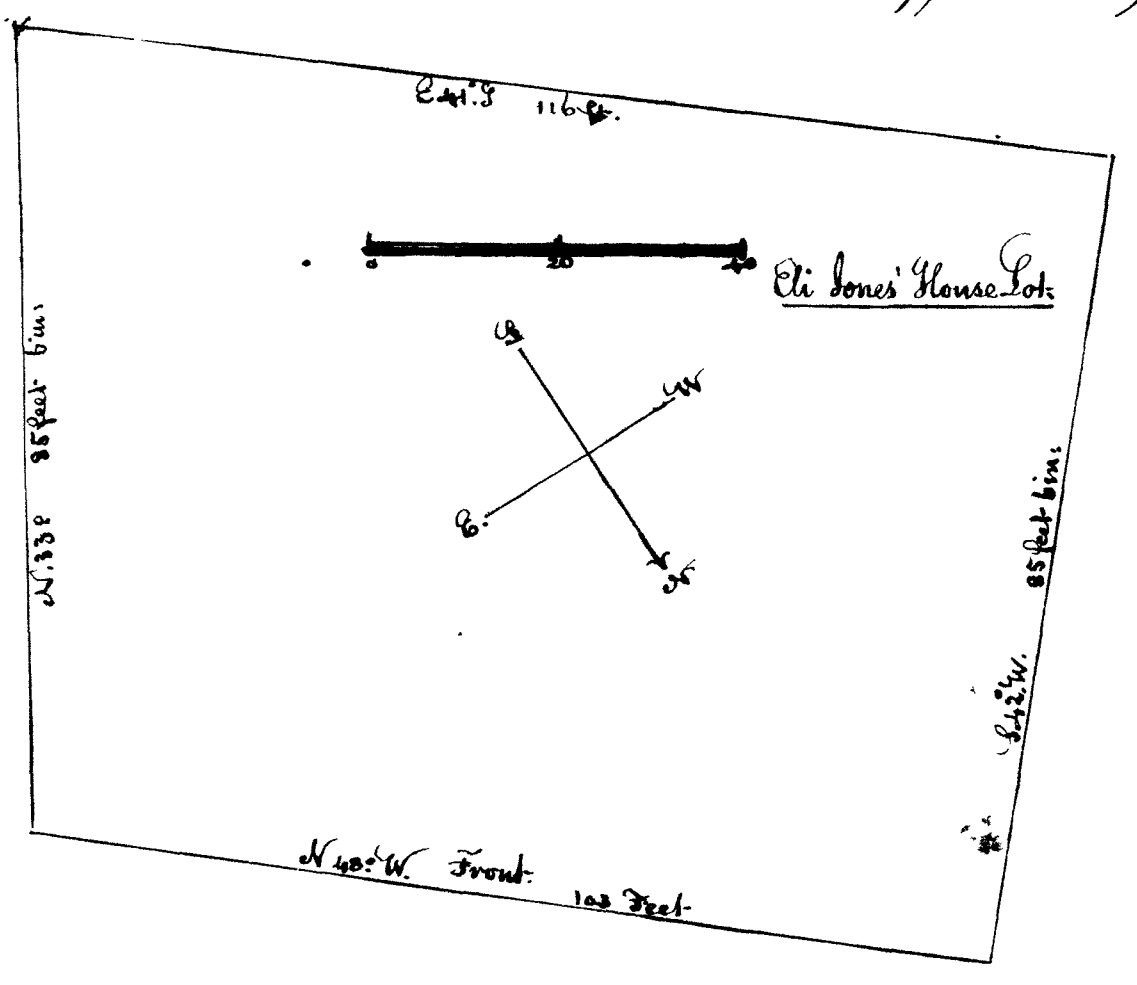
The evidence shows continuous possession and improvement from long anterior to the 7th of June 1839 to the present day, both by Wright and his transferee, the Claimant. There are no Natives attached to the Land, nor is there any Counter claim set up.

We accordingly confirm this claim to Eli Jones and Alexander Muir, as a freehold estate less than allodial.

Description & Boundaries of the Land.

"Commencing at the North East Corner of lands enclosed for the use and occupancy of the Roman Catholic Mission; and running North West, half West, per Mariner's Compass, about 185 feet to land at present occupied by Thomas Crowell; thence North East by North, about 76 feet to the street running North Westerly; towards estates of Madam Boki; thence South east by east 1/4 east, about 92 feet along the said street to the Street running in front of house, now belonging to Joseph C Carter; thence South by West 1/2 West about 90 feet to the point first mentioned."

239 fathom 18 ft



86

Board of Commissioners for Land Claims

Adjudication of Claim N°17 Eli Jones — D.r

To action, Motion & adjournment of Commissioners in the matter of this claim N°17. on 15th April 1846		1	
To draft of depositions reduced in relation to this claim	Fol: 4	2	
To Citation for his attendance on 29th of April			50
To action of Commissioners in the matter of this claim on 29th Inst		1	
To draft testimony reduced in relation to this claim on the 29th Inst. and engrossed	Fol: 1		75
To action of Commissioners in the matter of this claim on 7th May		1	
To draft testimony reduced in relation to this claim on 7th Inst. and engrossed	Fol: 3	2	25
To transcribing Copy of deed N°17. for Claimants use with Plan	Fol 5	2	50
Report of Commissioners this day rendered on the above claim		5	
		8	16

Honolulu
14th April 1847

William Richards
J Y Kanehoa
John Ricord
L. Kaauwai
Koomuli

Delivered April 8 1848
and acct paid Amt Cost $2.

Claim N° 18., George Wood.

The possessory right of this Claimant is well established by the testimony of numerous Witnesses. He appears to have received the Land in question from Boki, Governor of Oahu in the Year 1826. It was then Government Land, and so remains, subject to the freehold estate less than allodial of the Claimant; and subject to the Commutation allowed by law to a Hawaiian Subject for a fee simple; which should be ascertained by appraisement, under the direction of the Minister of the Interior. The Claimant has, ever since he received it from Governor Boki, improved and occupied to this day.

We accordingly Confirm it; pursuant to the first Rule established for the direction of this Board.

Boundaries as defined by survey:

"Notes of a Survey of George Woods' dwelling house lot in Honolulu:

Commencing at South corner of this lot, outside of Wall, joining Street and place left open to communicate with the Nye and other Yards, and running North 47.° 30' East 1 Chain 19 10/12 feet along Street to Wall, makai side of Stephen Reynolds wall. Thence Offset left 8 inches through wall. Thence offset to right 2 feet to St.n Reynolds makai boundary line. Thence North 14.° West 5 11/12 feet along stick fence between this and Stephen Reynolds' to angle. Thence North 50.° 30' West 31 2/12 feet along stick fence to N. Corner of Gate communicating with S. Reynolds' Yard. Thence N. 21.° 45' West 17 1/2 feet to South Corner of house standing in S. Reynolds Yard. Thence N 53.° 30' West 24 5/12 feet along makai side of house, and to alley leading into the Nye Yard 3 1/12 feet makai from hau tree standing in alley. Thence South 19.° 30' West 1 Chain 9 11/12 feet along alley to slight angle in wall. Thence South 36.° West 26 1/12 feet along alley to gate and West corner of this Place. Thence South 51.° 30' East 36 11/12 feet along Place to P.t of Commencement. including an area of

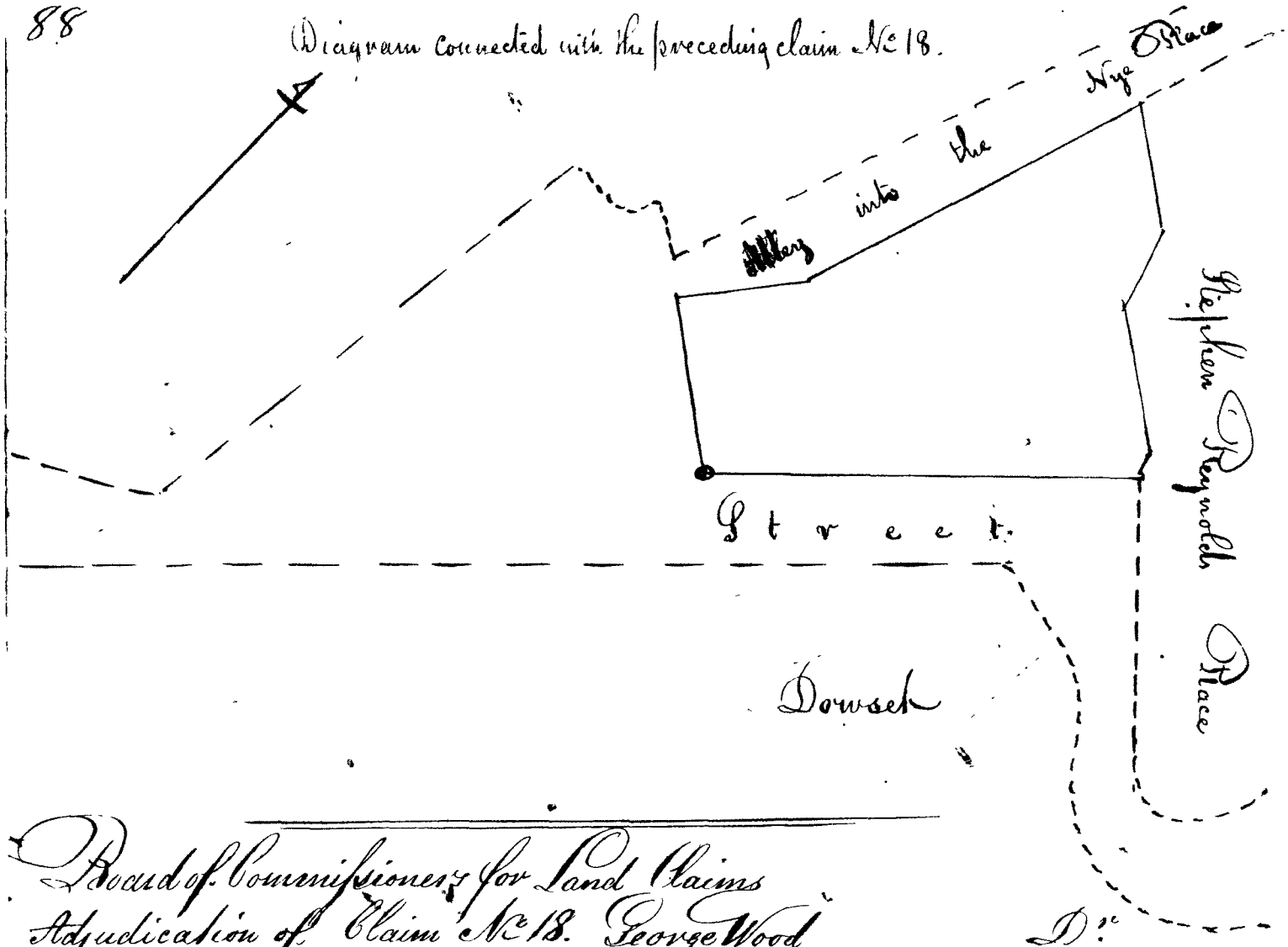
Fathoms 137. Feet 27.

T. Metcalf "

March 9. 1847.

88

Diagram connected with the preceding claim No 18.



Board of Commissioners for Land Claims

Adjudication of Claim No 18. George Wood

D.r

To incidental expences of advertising Claimants & the public notice of Commissioners to quiet Land titles to all, & of Room hire while engaged in the investigation of their claims			1	
To action of the Board in the matter of this Claim on 15 April 1846			1	
To draft of depositions reduced in relation to this Claim	fol 2		1	
To Citation for his attendance on 6th May				50
To action of the Board in the matter of this Claim on 6th Inst.			1	
To draft testimony reduced in relation to this Claim on 6th Inst - and engrossed	fol: 3		2	25
Report of Commissioners this day rendered on the above Claim			5	
To Bill of Survey		$ 5. 00	11	75
Engrossing Survey	fol: 2	1. 00		
		$ 6	6	
			$ 17	75

Honolulu
14th April 1847

William Richards
J. Y. Kanehoa
John Ricord

delivered April 8th
1848 amts acct-Paid Amt
less $1.

D. Kaauwai
Joanedi

Claim № 19. Naahu & Puniwai postponed

Helu 20- Maunahina.

He wahine ka mea nana keia hoopii. Ua hoopii mai nae mamua o ke kau ana i ke Kanawai haawi i ka hana no na wahine i ka lakou kane, aka, i ka hookolokolo ana, hele pu mai no kana kane.

Ma kana palapala hoopii, ua koi mai oia i na pahale eha ma Lahaina Maui. Ua haalele wale oia i na pa elua; a o na mea elua i koe, ua hookoloko=loia no, a eia na mea i akaka ma na waha o na hoi=ke.

No ka pa ana i kapa'i "Ke Kahuahale o Paea, ma Luaehu" eia ka oiaio.

Noho no o Paea ma ia wahi mai ka maka=hiki 1823 mai a make, i ka makahiki 1830 paha, a kokoke ia manawa, alaila lilo ia wahi ia Piho, no ka mea, o kona hunona ia, a oia wale no ka hoo=ilina. Lilo ia ia kela wahi, a paa no ia ia maika make ana o Paea a hiki i ka makahiki 1844, aohe mea nana i keakea, a na hoikeia mai o Maunahina wale no ka hooilina o Piho. Nolaila, ua akaka ke komo ana o keia maloko o ka Helu 1 o ka olelo i hoholoia e ka poe Ahaolelo, a pela hoi makou e hooko nei. Pinei na Mokuna.

(1) E hoomaka ana ma ka aoao mauka o ka hale anaina o Kimo N. a moe aku ka aoao mua i ka N. 34° 00' Ko. – 45 kapuai 4 iniha a hiki i ka liki o ka muliwai; huli i ka He 53° 30' Ko. 1 Kaulahao 6 kapuai 8 iniha; huli i ka N. 36° 30' Hi. – 43 kapuai 4 ini=ha, a hiki i ka pa lepo, alaila, huli i kahi i hoomaka'ii i ka N. 50° 20' Hi. 1 Kaulahao 5 ka=puai 4 iniha. Eia ka ili maloko 11 Roda (6.: 5/8) 83 anana 6 7/8 Kap

ia i Wahi= e ae i a ma= mahi ia Pi=

ko kahi a Maunahina e koi nei, aole i okaka kamanawa i hanaiaku keia, mamua nae o ka makahiki 1836. Noho no o Piko ma ia wahi mai ia manawa mai, a loaa ia ia kona mai i make ai M.H. 1844. Ai i kona make ana, kauoha oia i kona pa i kana hanai ia Maunahina, nolaila, ua akaka loa, ua malu kela pahale i ke Kanawai o ka M.K. 1839, a ua komo koi ia kuleana iloko o ka Helu 1 o ka olelo i hookoloia e ka Ahaolelo, a pela makou e hooko nei. Penei na mokuna o ia pa.

(2) E hoomaka ana ka aoao mua mauka o ke Alanui Aupuni moe aku keia aoao ma ka Hema o ke Alanui e pii ai i ka hale halawai lai. Penei ka moe ana i ka N. 48° 00' Hi. – 40 kapuai; huli i ka N. 88° 00' Hi. – 60 kapuai; huli i ka N. 31° 30' Hi. 2 Kaulahao 12 Kapuai a hiki i ka pa o Keawa ma ia aoao a hiki i ke Alanui Aupuni; huli i kahi i hoomakaii i ka N. 46° Ko. 2 Kaulahao 58 kapuai 6 Iniha.

huli 42° K 2 Kaul[illegible] ½ Kapo. e pili mai ana no ka pa o Keawa

Eia koi ka Hi maloko 2 Ruda 39 Roda

31½ 11/10

O keia mau pa elua ka makou e hooko nei no Maunahina ma ke ano kuleana nui malalo o ke ano alodio, aka, ina uku mai oia i ko ke Aupuni hapakolu, alaila kupono ia ia ka palapala Sila nui ano alodio.

Penei nae e uku mai ai no ka hookolokolo ana a me ka hooholo ana i ka olelo.

No ka kumi a me ke Pai ana i ka olelo ma ka Nu Pepa	1	00
No ka palapala kii	"	50
No ka hana ana i ka la 26 Dek. 1846.	1	"
No ke kope ana i ka olelo ana; he ike 500 hua olelo	2	50
No ke Ana ana	2	"
No ka hooholo ana i ka olelo	5	"
	$12	00

Honolulu
14 Aperila 1847.
Delivered and acc't Paid.

Pau loa—
William Richards
P. Y. Kanekoa
John Ii
Kaauwai
Konohiki

Claim № 21. Nakookoo akapokine postponed

Helu 22. G. Kawaina Kapa

Ke wahi kuleana keia i hoopaapaaia. Ua mapopo nae ke ano. Ua hookumuia i ke kau ia Kamehameha I. Ia manawa, noho ko Kawaina makuakane ma kahi ana e koi nei, malalo o Kuhelani ka noho ana. A i ke kau ia Kiholiho, komo hou mai o Welaula, a me Napahi a noho iloko o ia pa, noho kuikahi no, aole i hoakakaia kekahi kuee. Ua mau no ka noho ana pela a hiki mai ia Kinau, nana no i mahele pono i ko kekahi a me ko kekahi. Hehapalua paha ko Napahi, a he hapaha ko Welaula, he kanaka na make i keia manawa, a he hapaha ko Kawaina. Nolaila, ua akaka, aole o G. Kawaina kahi a pau ana e koi mai nei, nona pae kekahi aoao penei, na Mokuna. E hoomaka ana ma ka lihi kai, ma ke kihi Komohana Akau hoi o ka pahale o Napahi, a moe aku ka aoao mua i ka A. 60° 00' Hi. 56 kapuai a hiki hoi i kahi anakee o ko Napahi pa, ma ka aoao hema hoi o kahi puhala; huli i ka A. 33° 00' Hi. 1 Kaulahao 58 kapuai 4 iniha, a hiki i ke kihi Hikina Akau o ko Napahi pahale; huli i ka A. 40° 00' Ko. 56 kapuai, a hiki i ke kihi Komohana Akau o ka pahale o Manuela; huli i ka A. 50° 00' Ko. 1 Kaulahao 23 kapuai 4 iniha a hiki i kahi anakee o ka pa o Kane; huli i ka Ak. 57° 00' Ko. 1 Kaulahao 4 kapuai 4 iniha a hiki i ka lihi kai e pili ana no i ko Kane pa; alaila huli i kahi i hoomaka'ii, i ka A. 32° 00' Hi, – 54 kapuai.
Eia hoi ka ili maloko 33 Poda

Oia ka makou e hooko nei no G. Kawaina mamuli o ka Helu 1 o ka olelo i hoolilo ia aole ia he kuleana alodio, e kupono nae ia ia ka palapala alodio ke uku mai oia i ko ke Aupuni hapa kalu.

Eia ka aku ana e haawi mai ai no

ka hoolelokolo ana a me ka hoohalo ana i
ka olelo.

No ka nuni a me ke pai ana i ka olelo
ma ka Nu Pepa ... $1 00
No ka hana ana i ka la 15 o Aperila ... 1 "
No ke kope ana i ka olelo a na koike
300 kua olelo ... 1 50
No ka hana ana i ka la 24 o Mei ... 1 "
No ka hana ana i ka la 10 o Januari ... 1 "
No ke kope ana i ka olelo a na koike
200 kua olelo ... 1 "
No ke ana ana ... 2 "
No ka hoohalo ana i ka olelo ... 5 "
Pau loa - $13 50

William Richards
L. Kauwai
Loaresti
John Ricord
S. G. Raneleo

Helu (22). 66 Napahi e kue ana
ia Kawaina.

He wahi kuleana keia i hoopaapaaia
ua akaka nae ke ano. Ua hookumuia i ke
kau ia Liholiho. Mamua aku, na noho ka
makuakane o Kawaina malaila; a ia ma-
nawa iho, noho hou mai o Welaula a me
Napahi. Noho kuikahi no lakou me ka
maopopo ole o ka mokuna o kekahi a
me kekahi, a hiki mai i ka manawa
o Kinau, nana no i mahele pono iwa-
na o lakou, he hapaha pahu ko Napa-
hi, a he hapaha ko Welaula, he kana-
ka na make i keia manawa, a he
hapaha ko Kawaina. Nolaila, na ma-

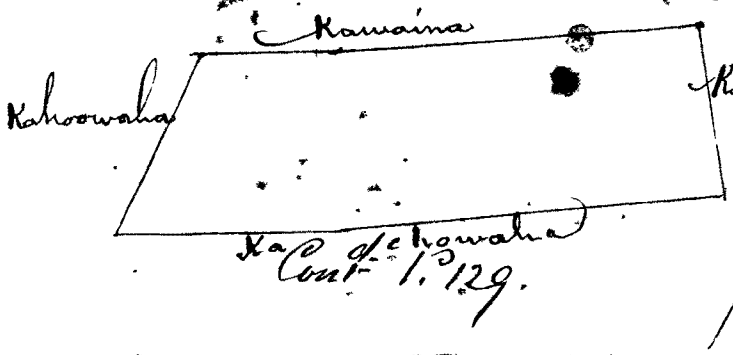
opopo he kuleana ko Napahi. Penei hoi na moku=
na.

E hoomaka ana ma ka lihi kai, ma ke ki=
hi Komohana Akau hoi o ka pahale o Kahoowaha a
moe aku ka aoao mua i ka N. 5° 30' Ko. a holo aku i Kau=
lahao 14 kapuai 8 iniha, a hiki i ke kihi Komohana
Hema o ka pahale o Kawaina; huli i ka N. 60° 00' Hi.
a holo aku 56 kapuai, a hiki i kahi makee o ka pa
o Kawaina ma ka aoao hema hoi o kahi puhala; hu=
li i ka N. 53° 00' Hi, a holo aku i Kaulahao i 53 ka=
puai 4 iniha, a hiki i ke kihi Hikina Hema o ka
pahale o Kawaina; huli i ka H. 40° Hi. a holo aku i
1 Kaulahao 9 kapuai 4 iniha, a hiki i kahi e
kupono ana i ke kihi Hikina Akau o ka pahale o
Kahoowaha, ma ka lihi mauka o kahi alanui olole e
hele ai i keia pa; huli i ka N. 55° 30' K. a holo i 1 Ka=
ulahao 56 kapuai a hiki i kahi anakee o ka pa
o Kahoowaha; alaila, huli i kahi i hoomaka'i
i ka N. 58° 30' K. a holo aku 1 Kaulahao 30 kapuai
8 iniha. — Eia hoi ka ili maloko 1 Puda 16 Poda

Oia ka makou e hooko nei no Napahi
mamuli o ka Helu 1 o ka olelo i hoohololia e
ka poe ahaolelo; he kuleana hoi malalo o ke ano
alodio; kupono nae ia ia ka palapala sila
nui ma ke ano alodio ke uku mai oia i ko
ke Aupuni hapakolu.

Eia ka uku ana e haawi mai ai no
ka hookolokolo ana a me ka hoohalo ana i ka o=
lelo.

No ka nuni a me ke pai ana i ka Nu Pepa	1	00
No ke kii ana i ka la 13 o Mei 1846	"	50
No ka hana ana ia la	1	"
No ka olelo a na hoike ia la 100 kuaolelo	"	50
No ka hana ana i ka la 27 o Mei	1	"
No ke ana ana i ka aina.	2	"
No ka hoohalo loa ana i ka olelo	5	"
Pau loa	$11	00



William Richards
J. F. Kaeleloa
L. Kaauwai
Boaz
John Ricord

94

Rewritten in Mistake by the Native Clerk.

Kalu 22 Napahi e kuu ana ia G. Kawaina No 66

He wahi kuleana kia i hoopaapaaia. Ua ma-
opopo ma ke. Ua hookumuia i ke kau ia
Liholiho. Noonoa aku na noho ka makua-
kane o Kawaina malaila, a ia manawa iho.
noho hou mai o Welowla a me Napahi. No-
ho kuikahi no lakou me ka maopopo ole o
ka mokuna o kekahi a me kekahi, a hiki mai
i ka manawa o Kinau, nana no i makele po-
no iwaena o lakou, he hapalua paha no
Napahi, a he hapaha no Welowla, he
kanaka. na make i keia manawa, a he
hapaha no Kawaina. Nolaila ua maopo-
po he kuleana no Napahi. Penei hoi na
mokuna

E hoomaka ana ma ka lihi kai, me ke ki-
hi Komohana Akau hoi o ka pahale o Ka-
hoowaha. A mae aku ka aoao mua i Ka
A. 5° 30 Komohana a mae aku i Kaulahao 14
Kapuai 8 iniha, A hiki i ke kihi Komo-
hana Hema o ka pahale o Kawaina huli
i ka A. 60° Hi a mae aku 56 kapuai a
hiki i kahi anakee o ka pa o Kawaina
ma ka aoao Hema hoi o kahi pahala
huli i ka A 53° Hi a mae aku i Kaula-
hao 53 kapuai 4 iniha a hiki i ke kihi
Hikina Hema o ka pahale o Kawaina
huli i ka huli i ka H. 40° Hi a mae aku
i Kaulahao 9 kapuai 4 iniha a hiki i
kahi e kupono ana i ke kihi Hikina
Akau o ka pahale o Kahoowaha ma
ka lihi hoi mauka o kahi alanui olali
e hele ai i keia pa. huli i ka H. 55° 30
Ko. a mae aku i Kaulahao 56 kapuai
a hiki i kahi anakee o ka pa o Kahoo
waha, alaila huli i kahi i hoomaka
ai i ka H. 58° 30 Ko. a mae aku i
Kaulahao 30 Kapuai 8 iniha
Eia hoi ka ili malolo i ruda
16 Koda

[redacted]

Oia ka makou e hooko nei no Napahi manuli
o ka Helu 1 e ka olelo i hoohololia e ka poe
ahaolelo: ke kuleana hoi malalo o ke
ano alodio kupono nae ia ia ka pala
pala sila nui ma ke ano alodio ke
ulu mai oia i ko ke Aupuni hapa
holu

Eia ka ulu ana e haawi mai ai
no ka hoohololilo ana, a me ka hooko
lo ana i ka olelo

No ka puni a me ke poai ana i ka mu, lepa		
Nupepa	$	1 ..
No ke kii ana i ka la 13 o Mei 1848		.. 50
No ka hana ana ia la		1 ..
No ka olelo a na koike ia la 100 huaolelo		50
No ka hana ana i ka la 27 o Mei		1 ..
No ke ana ana i ka aina		2 ..
No ka hoohololoa ana i ka olelo		5
Pau loa	$	11. 00

96

Claim № 23. Oliver Smith.

This Claim is confessedly one of sufferance from the Government; as appears from an agreement between the Hawaiian Treasury Board and the Claimant dated 10th of August 1844. — The Claimant has no other rights in the Land than such as the Minister of the Interior may accord to him. — There is no dispute or Contest in the Matter; Some new voucher is however recommended to be given to the claimant, in order that this Land may assume its place among the transactions of the Interior Department pursuant to the present laws

We Confirm this Land to his Highness the Minister of the Interior, for the use of the Hawaiian Government

Boundaries as defined by Survey:- of Theophilus Metcalf. 2d August 1847.

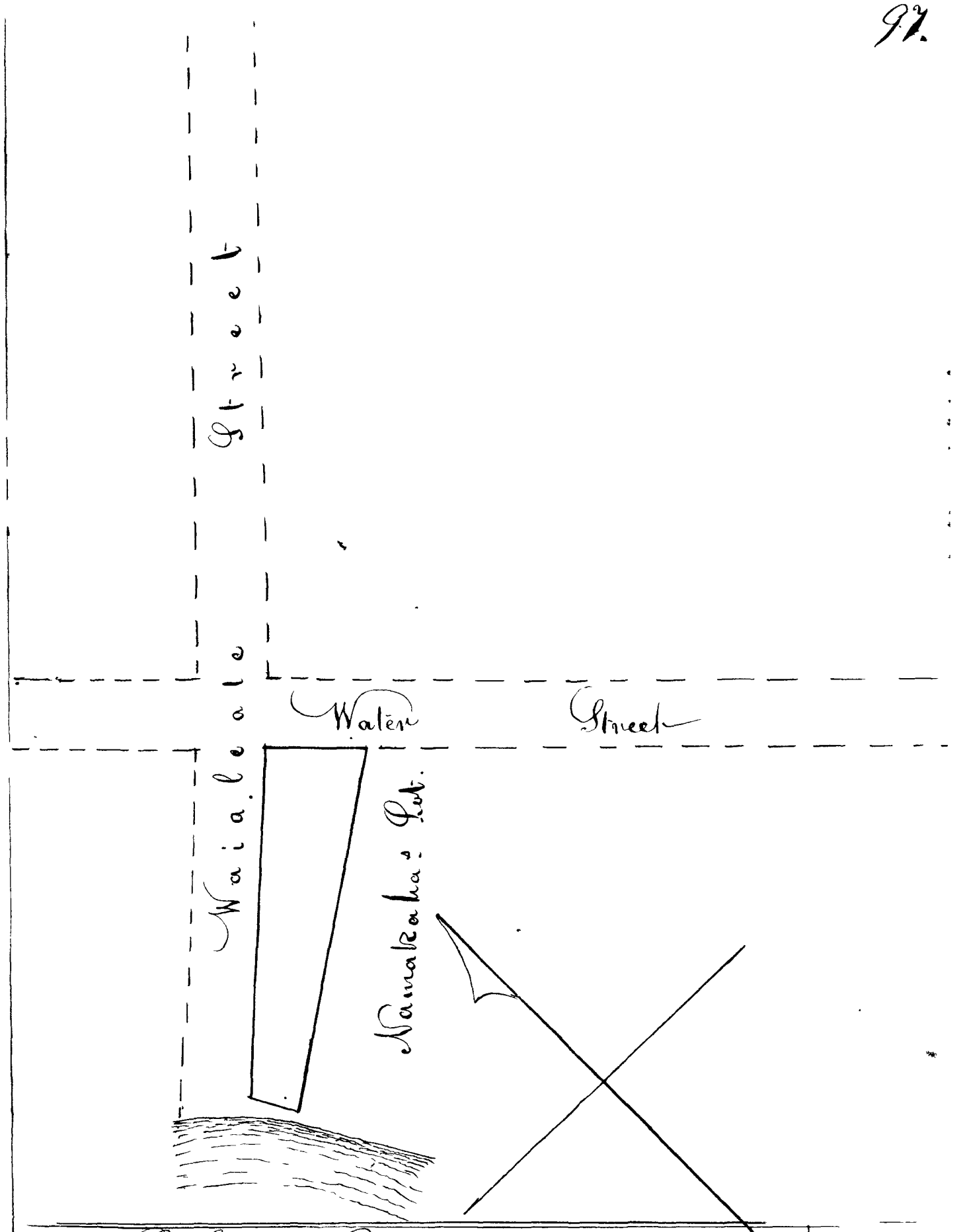
Notes of Survey of Oliver Smith's house Lot in Kahola-ukeahole Honolulu.

Commencing at North Corner of this Lot at intersection of Water and Waialeale Streets, and running South 46° 30' West 2 Chains 53 1/2 Feet along Waialeale Street to West corner of this lot. 7 Feet above high water mark. Thence South 33° East 24 2/12 Feet along near Sea to Namakaha's house lot. Thence North 54° East 2 Chains 63 4/12 Feet along boundary line between this & Namakaha's lot to Water Street. Thence North 48° West 47 1/2 Feet along water street to place of Commencement, taking all Walls except on the side of Namakaha's, and including an acre of

Fathoms 192. Feet 14.

159 1/1000.

92.



Oliver Smith Cl.t and Government equally Dis

To inc.t expences & 1	To action & of Comm.rs 21 April 1846	$1	2
draft depos.n reduced to $2 -	$1 - Citation & Subpoena	$1	2
Testim.y do Seng.e $1 - 75 cts	8 July - Survey & engrossd	$6	6 75
Report of Commiss.rs this day rendered in the above Claim			5
		$	15 75

Hale Kauwila
7 August 1848.

Moiety - Claimant Dis 7.87½

William L. Lee
J. H. Smith
& Kapuaiwa
D. Kaauwai

Award to Kaaione

Claim № 24 D. Lyons Kiwalao. Counter to Kaaione See Page 345

This Claim is one which originated in pure possession anterior to June 1839, and is Contested by Kaaione. It Consequently Comes to be considered under the second rule established for the government of this Board. The one or the other of the Claimants must of necessity, acquire by our award, according to that rule, a freehold estate in this land less than allodial. The only question for us is; to which shall it be awarded?

The record of the testimony on Lyons part is to this effect. - Thomas Hunt ~~testified~~ that he knew the Claimant to have had the Land many years, he had it 4 or 5 Years before the war of 1812 - Witness was away when the land was taken from him. John Woodlands daughter has been living on the land since it was taken from Claimant, and holds it still: her name is Mamua, Wife of Wm Hughes.

Mr Lyons stated he was a British subject, he applied to the King, who sent Dr Rooke to General Miller, about Claimants application; General Miller would have nothing to do with it, because he was here before the General came, who said, he came to take Care of British seamen.

The record of testimony on the part of Kaaione is to the following effect: Waiaha stated that she is daughter of John Woodland; & that Kamehameha II gave the land in question to her Father, while Karaimoku was living at Oahu, previous to which Mr Lyons had possession of it. She heard it was taken from him for not paying his sandal Wood tax. Kahanaumaikai was the tax officer who dispossessed him of it, and kept it himself about a Year & half, and then it was given by the King to Witnesses Father, through Karaimoku in consequence of his becoming a subject of the Government, and Chief gunner of the Fort; he had possession of it until his death, when it descended to Witness about 1832, who had possession of it until about 3 Years ago.

when it was returned to the King, who gave it anew to her husband, the present occupant.

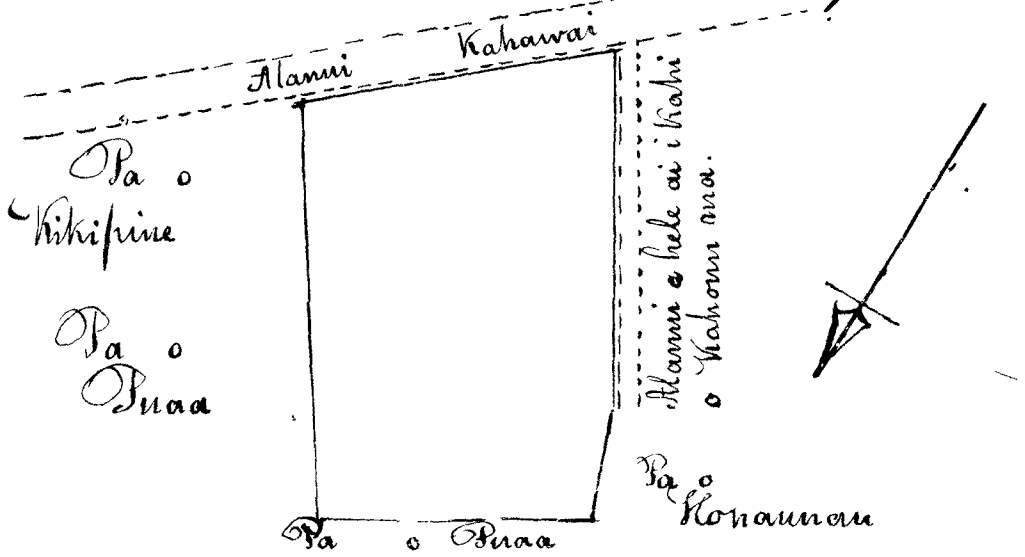
From the facts thus disclosed by the respect-ive parties, there seems to us no foundation for Lyons' claim to this land; while there are numerous considerations and motives for confirming as we do, to the Counter-claimant Kaaione, a freehold estate in it, less than allodial; which may be commuted for a fee-simple, he being a Hawaiian subject, upon payment by him of one third the unimproved value of the land; to be ascertained on appraisement, by order of the Minister of the Interior.

See Award Page 345 to Waiaha Kane

We accordingly reject the pretensions of the Claim-ant D. Lyons Kiwalao.

Boundaries defined by survey of Mr Richardson. "Ke kii o ka pahale o Kaaione ma ke kulanakau-hale o Honolulu i Oahu. Eia hoi kona mau palena. Akau Pa-hale o puaa, Hikina Pahale no o puaa a me ko Kikipine. Hema. Alanui Kahawai. Komohana. He wahi alanui ololi e hele ai i kahi o Kahonu ma, mai ke Alanui Kahawai mai a me ka Pahale o Honaunau.

E hoomaka ana ma ka lihi mauka o kahi alanui ololi e hele ai i kahi o kahonu ma, mai he alanui Kahawai mai, ma ka aoao akau hoi o ke alanui Kahawai. A moe aku ka aoao mua. A. 48.° 30' Hi 1 Kaul: 42 8/12 Kap. Ahiki i ke kihi hema o ka pahale o Kikipine Huli A 34.° 30' K 2 Kaul: 15 10/12 Kap. A hiki i kahi kekee o ka pa o puaa Huli H 57.° 45 K. 1 Kaul: 26 6/12 Kap. A hiki i ke kihi komohana hema o ka pahale no o puaa Huli H 22.° 30' Hi 35 8/12 Kap. a hiki i kahi kanahua o ke pa, ma ka aoao hikina hoi o ka pahale o Honaunau. Alaila huli i kahi i hoomakai H 35.° 45 Hi 1 Kaul: 62 10/12 Kap. Eia hoi ka ili Maloko — 3 Kaulahao — 84 Aeana — 31 Kapuai } Kuea



Board of Commissioners for Land Claims
Adjudication of Claim N° 24 Kaaione. Dr.

To Incidental Expences of advertising Claimants the public notice of Commissioners to quiet land titles to all, & of Room hire while engaged in the investigation of their claims		1	
To action of the Board in the matter of this claim on 21st April 1846.		1	
To draft of depositions reduced in relation to this Claim	Fol: 2	1	
To citation for attendance of D. Lyons on 20th May			50
To action of the Board on the 20th Inst. in the matter of this Claim		1	
To draft testimony reduced on 20th Inst. ingrossed	Fol 2	1	50
To adjournment of this Claim to 23rd June		1	
To citation for attendance of D. Lyons			50
To action of Board on 30th June		1	
To draft testimony reduced on 30th Inst. ingrossed	Fol 2	1	50
Report of Commissioners this day rendered on above Claim		5	
			15

Honolulu 14th April
1847.

William Richards
S. G. Ranchon
John Ricord
D. Kamanai
Jocune de

Claim N°. 25. Jules Dudoit. transferred

Claim N°. 26. Jules Dudoit.

The facts of this case appear to be simply these:- viz: that in the Commencement of the year 1840 the Claimant was informed by Governor Kekuanaoa of Oahu that the King would confer a piece of land upon him; leaving it to the Claimants own discretion to select the location of the land, and its quantity. The Claimant himself demarked the present boundaries as they are recited in the Kings written gift, dated 27th of February 1840: which gift confers upon "Jules Dudoit, his heirs and assigns," the land therein described, without reservation of rent; and without limit as to time; but

with the express understanding that it is to descend to his heirs or may be Sold to Jules Dudoits assigns; though this last privilege is coupled with the condition, that in case of Sale, J. Dudoit shall first notify the King of his intention to sell.

The Governor, in delivering possession to the Claimant ordered several native families who resided on the land, to quit it; which gave those families much affliction; and the claimants sympathies being excited, he distributed a sum of money, equal to $150 or $200 among them as a salve; which appears to have been the only pecuniary Consideration that passed from him to any one, regarding this land.

In view of all which facts, there being no counter claimant, and the Claimant having since built upon & improved this lot, in a valuable manner, upon the principles stated in Claim No. 1. regarding retroactive legislation:— We award to him & to his heirs and assigns, in fee-simple, the land Comprised within the boundaries hereinafter set forth, as ascertained by Theophilus Metcalf Esquire: subject, however to the perpetual condition, that, before any sale of the same, either by the Claimant, or his heirs, or assigns, the King shall be notified; and shall have the option of buying at the same price offered by the intended Purchaser: pursuant to 2d. art: of the Convention signed by his Majesty at the instance & demand of Lord Ecl: Interlined before signing W.R. Paulet: which, though not a Treaty, sufficiently evinces the understanding of Foreigners at its date 15th day of Novr 1836 Notes of Survey of Jules Dudoits dwelling house lot in Pauhi, Honolulu.

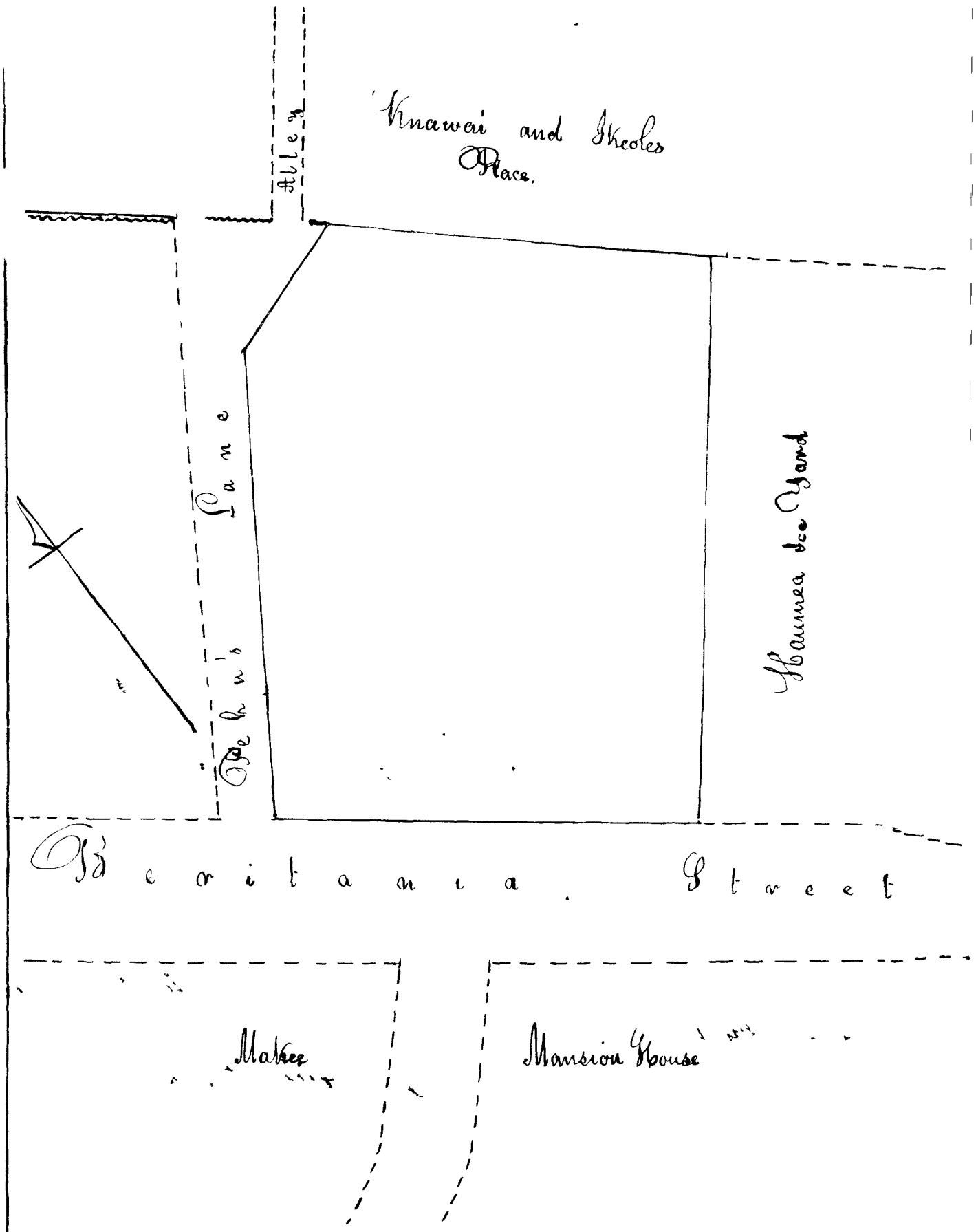
Commencing at West Corner of this lot, at intersection of Beretania Street, and Pehui lane, & running North 35°. 30' East 116 10/12 feet along Pehui lane to angle in wall, thence North 71°. 30' East 39 11/12 feet along lane to Kuawai and Ikeoli's lot; thence South 46°. 30' East 96 4/12 feet along, between this and Kuawai & Ikeoli's place to Haumea's lot; thence South 41°. West 143 2/12 feet along Haumea's to Beretania Street. Thence North 50°. West 105 11/12 feet along Beretania Street to place of Commencement, and including an area, taking in all surrounding walls, of

Fathoms 450 — Feet 25.

April 7th 1847.

T. Metcalf

102



Board of Commissioners for Land Claims
Adjudication of Claim N° 26. Jules Dudoit D.?

To incidental expences of advertising Claimants & the Public Notice of Commissioners to quiet land titles to all; & of Room hire while engaged in the investigation of their claims 1

To action, Motion & adjournment of Commissioners in the matter of this claim N° 26. on the 29th April 1846. 1

Carried over. 2

Recd for d		$ 2	
To draft of depositions reduced in Relation to this claim Fol 2.		1	
To Citation for attendance in relation to the same			50
To action of Commrs on the matter of this Claim 9th June		1	
To draft testimony reduced & engrossed on the 9th Inst. in Relation to this claim	Fol 2	1	50
To Surveyors Bill of Claim 26		5	
To engrossing Survey	Fol 2	1	
Report of Commissioners this day rendered on the above claim		5	
		$ 17	

Honolulu
15th April 1847.

William Richards
J. G. Kaneakoa
John Ricord
L. Kaauwai
Joane Li

delivered and Charge made
For Copy & Stamps 4 — total 21 —

Claim No 27. Jules Dudoit.

This claim is founded on a Lease to Richard Charlton from Kaikeoewa. The land is situated at Hanalei on the Island of Kauai. Its extent is not defined by any boundaries; but is termed generally Kanalei. The purpose for which it was leased to Richard Charlton was to furnish pasture for Cattle, sheep &c — No rent or tax was to be paid for the pasturage; for which privilege with some incidental engagements on the part of the Lessor, Charlton engaged to pay 800 Boards. Six thousand feet of Boards appear to have been delivered by Charlton, for which a receipt is subjoined, the Lease acknowledging payment in full: This Receipt is signed by Abrahama Kaikeoewa.

The term of Years was to have been Seven by from the date of the Lease 27th Aug. 1831. allowing an additional term of two Years, for the purpose of clearing the pasture and disposing of the Cattle: — There is however a distinct stipulation annexed to the Lease, that the King may at any time, require the removal of the Cattle; & put an end

to the Contract upon paying the Lessee $600.

George Sandwich, a Witness examined by this Board on 9th June 1846, deposed that he knew Capt. Charlton sold some Boards to Kaikeeeva; but he did not know for what. He also knew some money was paid by Kaahumanu to Charlton. Witness took it in a Bag to Charlton who gave him a kind of receipt in english. Witness received the Money from Kaikeeeva & Carried it to Kaahumanu, who Counted it, and told Witness to carry it to Charlton. Kaahumanu told Witness to get the Case of the Kanakai Property from Charlton; and said Nothing about the receipt which was given unasked by Charlton.

In Proof that the Money referred to by the Witness Sandwich, was paid to Charlton for the Boards, & hence that the Boards were not given in fulfilment of Charltons Contract with Kaikeeeva, there exists in our possession an original receipt in Charltons writing, in the following words.

"Woahoo March 21. 1832.

"Received of Governor Kaikeeeva the sum of Two hundred & seventy nine dollars for Boards furnished the Kings house."

(Signed) Richard Charlton.

Sel., notwithstanding this receipt it appears that Charlton continued to hold over & occupy the Land. The present Claimants rights therefore, so far as they rest upon Charltons contract, have no foundation whatever. The Claimant can have derived no right to the occupancy of the Land in question, since Charlton himself had none, being but a trespasser who had not even the countenance of the Chiefs in holding the Land.

Nevertheless, from two supplementary documents at a later date presented to this Board, it appears, that Charlton had the presumption to convey the Land in question on the 24th day of October 1845 to Mary Taylor; and that Mary Taylor conveyed it on the 29th of December 1845 to Ann Dudoit whose husband is the present Claimant in her right.

These Conveyances extend, in their Language to "the whole of title, houses, tenements, Cattle, Horses, Mules & Asses; from all action debarred & excluded by virtue of these presents," it being mutually understood between M. Taylor and Ann Dudoit that the piece or parcel of land described in the Bills of Sale as "Extending from the two how trees above the dwelling house of John Kellet to the point near the fish pond, & bounded on the North by a small stream, together with all the buildings thereon, with half the dairy & implements. also half the boat house & Wharf, are the property of the aforesaid John Kellet, as per account between John Kellet & the aforesaid Richard Charlton."

There can be no doubt that all the moveable property described & ennumerated in these bills of sale, has been effectually transferred to Mrs Ann Dudoit. Not so, however the pasture lands & privileges, for which Charlton seems falsely to have contended under the annulled contract with Kaikeewa. Yet in our opinion, this circumstance can work no material detriment to the present Claimant: since even supposing the term of 20 Years accorded to Charlton were still validly existing, it would expire on the 27th August 1863 or at the end of 6 Years & 6 Months from this date; ~~from this date,~~ after which, the Premises would, in any event, have reverted to the Minister of the Interior, for the use of the Hawaiian Government; even had it not reverted to Government at the date of Charltons receipt.

The Claimant, it appears, intended from the first, to solicit of the Minister of the Interior a new Lease; in accordance with section 10 of article 2 Chapter 7 of the first part of the Executive organic act; and there can be no difficulty in making such an application on his part, which will without doubt be favorably entertained.

We the Commissioners cannot however, upon our oaths decide that Charlton had, at the time of leasing to Mary Taylor, any rights in the land, beyond violent possession; contrary to the tenor of his contract with Kaikeewa, Though had that contract not been rescinded in the formal manner which Charltons receipt imports, we should still

have Confirmed the allodium of this Land to his Highness the Minister of the Interior, for the use of the Hawaiian Government; subject to the unexpired Conditions of that Contract: or subject, in other words to a residuary term of 6 Years & 6 Months from this date.

In this instance — Considering the past confusion which has existed in the titles held by Foreigners: Consid--ering also the interest which this Government takes, in promoting the increase of flocks and herds upon the Islands, where they do not interfere with agriculture; and that this locality, being of the Public domain, is adapted to no other or better purpose; and above all, Considering, that Mr. Dudoit's purchase from Mary Taylor, was made with the full knowledge of, and without dissent by the Govern--ment.— We are disposed to give validity to the remain--ing term of 6 Years & 6 Months: recommending to his Highness, the Minister of the Interior, to take this circumstance into Consideration, in fixing upon the price to be demanded for an extended term of Fifty Years, upon new and well defined boundaries.

The dimensions of the Land occupied by Charlton, seem not to have been fixed, in his original con--tract with Kaikeoewa: except that he was not at liberty to encroach upon the Cultivated lands adjacent. Charltons Cattle appear to have ranged without other absolute limit between the range of hills bounding John Bernards plant--ation on the East, and the River on the West: a distance of some 6 Miles, and between the hills on the North & the Sea on the South. If the integrity of Mr. Dudoit's possession, be, as it hereby is, preserved on equitable con--siderations, for the unexpired term supposed to have remained of Charltons contract: — then ought the integ--rity of the range to be equally preserved. The right to dispossess Charlton & his substitute, we consider to be waived by Government, from a wish not to deal harsh--ly. But in making this Concession upon principles of equity, We require that the Claimant subject himself to the discretion of the Minister of the Interior, regard--ing the Boundaries; and that he receive at his own

expence, a new written evidence of Title direct from Government; either for the term of 6 Years & 6 months, or that they be merged in a Government Lease for 50 Years upon an annual rent; as provided by the section, article & chapter already mentioned.

Board of Commissioners for Land Claims
Adjudication of Claim № 27. L. Dudoit Dr.

To action, Motion & adjournment of this claim on 29th of April 1846	1	
To draft of depositions reduced in the matter of this claim fol: 26	13	
To citation for his attendance on 3rd of June		50
To draft testimony reduced on the 9th of June in relation to this claim and engrossed fol: 2. & action on Report of Commissioners this day rendered on the above claim	2	50
	5	
	22	

Honolulu 15 April 1847

William Richards
J. W. Kaeokea
John Ricord
Js. Kaauwai
Commissioners

delivered- Costs of Copy & Stamps $8.50 - total $30.50.

Helu 28.— Keaniani..

He kuleana keia i hookumuia i ke kau ia Lihoiho na Kaumaumakea i haawi. Ua koi mai o Keaniani ia makou e hooko no= na kahi a pau loa i loaa mua ia ia i kela ma= nawa mamua. Aka, ua akaka ma ka olelo a na hoike he nui, ua haawi aku o Keaniani i kekahi apana o ia ka ia Kaikioewa, nana no i haawi ia Louis Gravier, a ua kukulu o Gravier i ka hale malaila, a ua noho keaku ole ia oia no na makahiki umi a keu aku

paha.

Ua nui no hoi na mea hoike mai i ko Keaniani haawi ana i ke kau wahi ia Antonio Manuela: o ke kumu o ka haawi ana, he punalua o Manuela no Keaniani, a ua noho keakea oleia o Manuela malaila mai ka makahiki 1836 a hiki mai i keia manawa, nolaila, aole i kupono ia Keaniani kela wahi a pau loa ana i hoi mai nei. Ua koe nae ia ia ke kauwahi i kona hooilina nae, no ka mea, ua hoikeia mai imua o makou na make oia mahope mai o kana palapala ana mai ia makou.— Eia ka palena o kahi i koe i na hooilina o Keaniani.

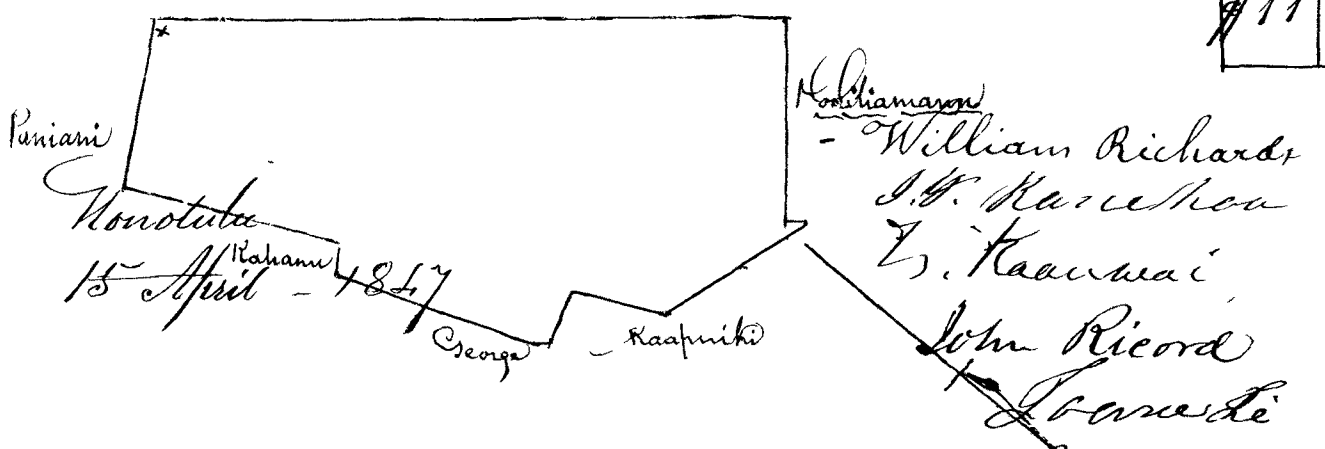
E hoomaka ana ma ka lihi mauka o ke alanui halepule, ma ke kihi Komohana Akau hoi o ka hale kana Charles, a moe aku ka aoao mua A. 61°40' Hi. 1 Kaulahao 28 Kapuai 8 Iniha a hiki i ke kihi Komohana Hema o ka pahale o Paniani; huli i ka A. 24°30' K. 1 Kaulahao 52 Kapuai a hiki i ke kihi Komohana Akau o ka pahale o Kahanu; huli i ka A. 53°30' Hi. 18 kapuai a hiki i ke kihi Komohana Hema o ka pahale o Geoki; huli i ka A. 20°30' K. 1 Kaulahao 10 kapuai, a hiki i ke kihi Komohana Akau o ka pahale o Geogi; huli i ka A. 30°00' K. 9 Kapuai 4 iniha, a hiki i kahi ke kee o ka pa o Kaapuiki; huli i ka H. 76°00' K. 28 Kapuai 8 iniha, a hiki i ke kihi Komohana Hema o ka pahale o Kaapuiki; huli i ka A. 21°30' K. 46 kapuai, a hiki i ke kihi Kikina Hema o ka pahale o Opunui; huli i ka Ke. 56°30' 1 Kaulahao 7 Kapuai 4 iniha, a hiki i ke kihi Komohana Hema o ka pahale no o Opunui; huli i ka Ke. 31°00' Hi. 4 kapuai 8 iniha, a hiki i ke kihi Kikina Hema o ka pahale o Koolilimanu; huli i ka Ke. 51°00' K. 1 Kaulahao 8 kapuai 8 iniha a hiki i ke alanui halepule ma ke kihi Komohana Hema hoi o ka pahale o Koolilimanu, alaila, huli i kahi i hoomaka'i i ka Ke. 34°00' Hi. 3 Kaulahao 38 Kapuai 8 i=

niha. Eia hoi ka ili maloko 2 Ruda 39 Roda.

Ua komo ia kuleana iloko o ka Helu 1 o ka olelo i hoohoiia e ka Poe Ahaolelo a pela makou e hooko nei ma ke ano kuleana nui malalo o ke ano alodio, a ~~ia~~ kuia ko ke ~~Aupuni kapiakolu~~, alaila, kupono ka palapala alodio. E ukuu mai nae no ka hoohoiokolo ana

No ka rumi a me ke pai ana i ka olelo
ma ka Nu Pepa
No ka hana ana i ka la 27 o Mei 1846
No ka hana ana i ka la 10 o June "
No ke kope ana i ka olelo a na hoike ia la 200
No ke ana ana
No ka hoohoi ana i ka olelo

$	1	00
	1	"
	1	"
	1	—
	2	"
	5	"
$	11	00



Paid to Pres.t Richards 10.th June 1847 the above Cost
See Page 1 Vol 1 Ledger - (Receipt found among his papers)

See Page 307 Louis Gravier Hanui Pi.

Helu 28. Louis Gravier kue ia Keaniani.

O Kaikioewa ke Kiaaina o Kauai ke kumu o keia kuleana. Nana no i nonoi ia Keaniani a ae aku o Keaniani i kana noi ana, a nolaila, ave le hiki ia ia ke hoole i keia manawa, no ka mea, haawi o Kaikioewa i na wahi la ia Louis Gravier mamua aku o ka make ana o Kinau, a na noho ke akea olelo o Gravier malaila mai ia manawa mai, a na kukulu via i na hale malaila, a na paa kona pa, a na paa hoi kona kuleana. Eia na mokuna.

E hoomaka ana ma ka hihi makai o ke ala nui hale pule, ma ke kihi Hikina Hema hoi o ka pahale o Manuela, ma ke kihi Hikina Hema no hoi o ka hale maika o Manuela. a moe aku ka

aoao mua i ka Hk. 32°00' Hi. a moe aku i 1 Kaulahao 35 kapuai 4 iniha a hiki i kahi alanui olole e iho ai i kahakai mai ke alanui hale pule aku; huli i ka He. 55° 30' K. a moe aku i 1 Kaulahao 30 kapuai 8 iniha, a hiki i kahi i hui ai na wahi alanui olole elua, o kahi alanui e hele ai i kahi o Napahi ma, a me kahi alanui e iho ai i kahakai mai ke alanui hale pule mai; huli i ka K. 40° 00' K. a moe aku 1 Kaulahao 26 Kapuai 8 iniha, a hiki i ke kihi Komohana Hema o ka pahale o Manuela, alaila; huli i kahi i hoomakaii i ka K. 47° Hi. a moe aku 1 Kaulahao 43 Kapuai 4 iniha. Eia hoi ka ili maloko 34 roda.

O keia pahale ka makou e hooko nei no Louis Gravier ma ke ano kuleana nui malalo iho o ke kuleana alodio, aka, ina manao oia e uku i ko ke Aupuni hapa a haawi i ka pa no kana keiki, e hiki no ke haawi ia ia i ka palapala Sila nui ma ke ano alodio.

Eia ka uku no ka hookolokolo ana a me ka hoohalo ana i ka olelo.

No ke kii ana i ka la 10 o June 1846.	$	" 50
No ka hana ana a na Luna i ka la 16 o June	1	"
No ka rumi a me ke pai ana i ka olelo iloko o ka Nu Pepa	1	"
No ke kope ana i ka olelo a na hoike 400 huaolelo	2	"
No ke ana ana	2	"
No ka hoohalo loa ana i ka olelo	5	"
Pau loa	11	50

William Richards
J. Kanekoa
John Ricord
L. Kaauwai
Isaac Fe

Honolulu
15 April 1847

See Page 307 for completion under No 689.

Helu 29.— **Upai Wahine.** Papa 1

I ka hookolokolo ana i keia, ua nele o Upai wahine i na hoike e maopopo ai kona kuleana maloko o ka aina ana i koi ai. I kana olelo ana ~~ua~~ na Palu i haawi ia ia wahi a lilo loa. Aka, ua maopopo ma ka olelo a na hoike, no Pale ka aina, aole no Palu, aohe hoi kanawai e hiki ai ke kaue ke hoolilo i ka aina o ka wahine, aole hoi i maopopo loa no Pale ka aina, nona paha no kona kaikuaana paha, ua maopopo loa iae aole no Palu, a nolaila, aole hoi e hiki ia ia ke haawi. Ua akaka no hoi he ano o ko Upai noho ana, he ano ohua, aole ano haku; Aka, ua maopopo no he kuleana ko Upai maloko o ka hale i hanaia, a ua hana ia kela me ka ike ia e ka mea nona ka pa, aole hoi i hoolilo. Nolaila, ua loaa ia Upai ke kuleana o ka noho pu: aka, aole nona ka aina, ua nele oia malaila. Eia ka olelo a makou e hooholo ai. He noho hale oia malalo o ka mea nona ka pa.

Eia ka uku i kupono ia Upai ke uku mai no ka hookolokolo ana.

No ka rumi a me ke pai ana	1	"
No ka hana ana i ka la 24 o Mei	1	"
No ke kope ana i ka olelo a na hoike, 700 huaolelo	3	50
No ka hooholo ana i ka olelo	5	"
	$10	50

Honolulu
15 Apria 1847

Pauloa
William Richards
I. Kanekoa
John Ricord
L. Kaanwai
Iuenesi

Helu 30.— **Kahowaha.** Kapuukolu

Cancelled & award'd in No 1 P 180

He keii hoakaka oia keia. Ua olelo ia he 30 ka loa, 5 ka laula, aole i haiia mai he kaulahao a he anana a he kapuai, a he aha la, aole i akaka nui Ua olelo ia he lihi na lawela, aka, ua olelo ke

Kanawai o 1839 iono malama e hoihoi ai na lihi; a nolaila na hiki ole ia makou ke hana i na lihi o keia manawa, o na lihi kahiko loi.

Ua oleloia mai no hoi, na keakea na keiki a na malihini i ka mea nana i koi mai, aka, aole i hoakakaia ko lakou inoa, aole hoi i maopopo i na hoike ka uiaio o kela olelo.

Eia nae na mea maopopo i na hoike, he nui na mea kuleana ma kela aina ma Puukolo, a o Kahoowaha kekahi. He kuleana kahiko loa mai kona, aole mea nana i keakea i kona noho ana ma kona wahi ponoi.

Eia hoi na mokuna o ia wahi. E hoomaka ana ma ke kihi Komohana Akau o ke Koo pa, ma kahakai no hoi, a moe aku ka aoao mua i ka N. 61° Hi. a holo aku 2 kaulahao 32 kapuai, a hiki i ka hakala o ka halepili o Kahau; huli i ka N. 25° 00' K. a holo aku 4 kapuai 8 iniha, a hiki i ke kihi komohana akau o ia halepili; huli i ka N. 64° 00' Hi. a holo aku 6 kapuai 8 iniha, a hiki i ka aoao komohana o ka pahale o Kaluapakohana; huli i ka N. 35° 00' K. a holo aku 65 kapuai 4 iniha, a hiki ma ka aoao akau o kahi alanui e iho ai i kahakai mai ke alanui halepule mai; huli i ka N. 53° 30' Hi. a holo aku 56 kapuai 8 iniha, a hiki i ke kihi Komoha-
na Hema o ko Kinopu wahi; huli i ka N. 29' K. a holo aku 53 kapuai 4 iniha, a hiki i ke kihi Komohana Akau o ko Kinopu wahi; huli i ka Ke. 55° 30' K. a holo aku 46 kapuai a hiki i kahi anakee o ka pa o Napahi; huli i ka Ke. 58° 30' K. a holo aku 1 kaulahao 30 kapuai 8 iniha a hiki i kahakai ma ke kihi Komohana Hema hoi o ka pahale o Napahi, alaila, huli i kahi i hoomaka'i, i ka Ke. 40° 00' Hi. a holo aku 2 kaulahao 6 kapuai 8 iniha. Eia hoi ka ili maloko 2 Puda.

Eia no keia wahi.

E hoomaka ana ma ka aoao Akau o kahi alanui olole e iho ai i kahakai mai ke alanui halepule mai, ma ke kihi Hikina Hema hoi o ko Kinopu wahi pahale, a moe aku ka aoao mua i ka N. 54° 30' Hi. a holo aku 55 kapuai 4 iniha, a hiki i ka lihi makai o kahi alanui olole e hele ai i kahi

o Napahi ma; huli i ka N. 41° 30' K. a holo aku 49 ka=
puai 4 iniha, a hiki i ka awa hema o ka pahale o Ka=
pahi, ma ka lihi no hoi makai o kahi alanui e hele ai i ka=
hi o Napahi ma; huli i ka Ke. 55° 30' K. a holo aku 50 kapu=
ai, a hiki i ke kihi Kikina Akau o ko Kinohu wahi paha=
le, alaila; huli i kahi i hoomaka'i, i ka Ke. 40° 00' Hi. a ho=
lo aku 53 kapuai 4 iniha. Eia hoi ka ili maloko Iroda.

No Kahoowaha ia mau pa, a o ke ano o kona ku=
leana, ua like me ka nui o na kanaka i ka wa kahiko, a
na komo hoi iloko o ka Helu 1 o ka olelo i hookolokia e ka
Poe Ahaolelo, a pela hoi makou e hooko nei, he kuleana ma=
lalo o ke ano alodio, na kupono nae ia ia ka palapala alo=
dio, ke uku mai oia i ko ke Aupuni hapakolu

Penei oia e uku mai ai no ka hookolokolo ana, a
me ka hoohalo ana i ka olelo.

No ka rumi a me ke pai ana i ka olelo ma ka Nu Pepa	$ 1	"
No ka hana ana i ka la 3 o June 1846	1	"
No ka hana ana i ka la 9 o " "	1	"
No ke kope ana i ka olelo a na hoike i ka la 16 o June, 300 huaolelo	1	50
No ke kope ana i ka olelo a na hoike June 30. 1846 - 200 huaolelo	1	"
No ke ana ana i ka pa	2	"
No ka hoohalo ana i ka olelo	5	"
Pau loa	$ 12	50

Honolulu
15 April 1847.

William Richards
J. Kanekoa
John Ricord
L. Kaanwai
Joanebi

(Emana avao 60 ?)
See Transaction B. Resolution to amend this Award Page 41

Pentano 4.

Helu 31.— Napahi lana o Kekualaula.

He kuleana keia i haalele wale ia mai na
loa, a i keia manawa, ua hoala houia. I ka hooko=
lokolo ana ua akaka keia. Ua hoole o Kekualaula

aole oia i kakau i kona inoa, aole oia i koi mai no= na kekahi kuleana malaila. Oia ka na hoike. I ka wa e noho Kiaaina ana o Liliha i ka makahiki 1831, hoolilo= loia o Kikanaka i punuku no ke'alii a haawi o Liliha ia ia i kahi a Napahi e koi nei, i wahi e ku ai ka hale paipu. Kukulu no o Kikanaka i mau hale malaila, a malaila i waiho ai na paipu, a malaila i noho ai kekahi poe aipuupuu o ke alii, a o Napahi kekahi. Aole no Napahi ma ka pa, aole no lakou na hale. Oia= na ia mau hale i kukulu muaiaii, a kukulu hou ia nae. I ka makahiki 1837 mahope iho o ka hele ana o ke alii i Maui, pau ka piliana o Napahi ma ia wa= hi, a hele oia a noho ma Kapunakolo. Nolaila, ua aka= ka loa, aole o Napahi kuleana mamuli o ke Aupuni, ina he kuleana ia malalo o Keohokalole ka hoolilna o Kikanaka oia e kuleana'i.

Aka, ua olelo mai na hoike, ua loaa ia Kikanaka kela wahi i wahi e ku ai ka hale ope= ope- ka hale paipu a me ka aipuupuu. Ua pi= li keia mau mea a pau loa i ke alii. Ua pili ia Kikanaka ma kona ano punuku, aole ma kona ano alii. A mai ka makahiki 1836 aole i ku ia mau hale malaila, a no ia mea, ua akaka ka pili ole ana o ia wahi i na hoolilna o Kikanaka, ua pili i ke Aupuni, i ke Aupuni wale no, aohe mea e noho ana. Penei na mokuna o ia wahi.

E hoomaka ana ma ka lihi kai, ma ke kihi Komohana Akau hoi o ka pahale o Kahoo= waha, a hoe aku ka aoao mua i ka K. 5° 30' K. a holo aku i Kaulahao 14 kapuai 8 iniha, a hiki i ke ki= hi Komohana Hema o ka pahale o Kauwaina; hu= li i ka K. 60° 00' Ki. a holo aku 56 kapuai a hiki i kahi anakee o ka pa o Kauwaina, ma ka aoao he= ma hoi o kahi puhala; huli i ka K. 53° 00' Ki. a ho= lo aku i Kaulahao 53 kapuai 4 iniha, a hiki i ke kihi Kikina Hema o ka pahale o Kauwaina; hu= li i ka Ke. 40° 00' Ki. a holo aku i Kaulahao 9 kapu= ai 4 iniha a hiki i kahi e kupono ana i ke kihi Kikina Akau o ka pahale o Kahoowaha, ma ka lihi hoi mauka o kahi alanui olili e hele ai i keia pa; huli i ka Ke. 55° 30' K. a holo aku i Kau= laliao 56 kapuai, a hiki i kahi anakee o ka pa o Kahoowaha; alaila, huli i kahi i hoomaka'i

i ka Ae. 58°30'K. a holo aku i Kaulahao 30 kapuai 8 iniha.
Eia hoi ka ili maloko 1 ruda 16 roda.

Ke hooko nei makou ia waha a pau no ke Aupuni.
E uku nae ke Aupuni no ka hoohoio ana
i ka olelo
No ke ana ana
Pau loa

5	"	
2	"	
$	7	00.

A e uku o Napahi ~~no ka~~ i ka rumi
a me ke pai ana
No ke kope ana i ka olelo a me hoike
No ka hana ana i ka la 23 o June

1	"	
1	50	
1	"	
$	3	50.

Honolulu
15 April 1847

William Richards
J. Y. Kanehoa
L. Kaauwai
Lonaeki
John Ricord

Claim No 32. Edmund R. Butler

The Claimant in this case arrived at these Islands in the year 1813 from Boston, Mass.ts Shortly afterwards Kamehameha 1st granted him a farm, called Kawaiiki, near Honolulu, Oahu, in the district of Kapalama, Afterwards in the Year 1817, Kamehameha 1st further granted the Claimant a district of land on the Island of Maui, situated between the village of Lahaina and Lahainaluna, called Puou.

The Claimant seems by testimony to have continuously occupied these lands until this time, except some portion of the second named land at Lahaina, which was taken from him by the Donor, and conferred upon the Seminary at Lahainaluna. The first mentioned land called Kawaiiki, was again assured to the Claimant by his present Majesty in the Year 1831.

The first Rule governs the tenure in these respective cases: and We accordingly, confirm these lands to the Claimant, as a Freehold Estate, less than allodial, to be commuted for a fee-simple, as the law directs in regard to aliens.

Part Boundaries

" Notes of Survey of Edward Butlers dwelling house lot called Puou in Lahaina, Maui.

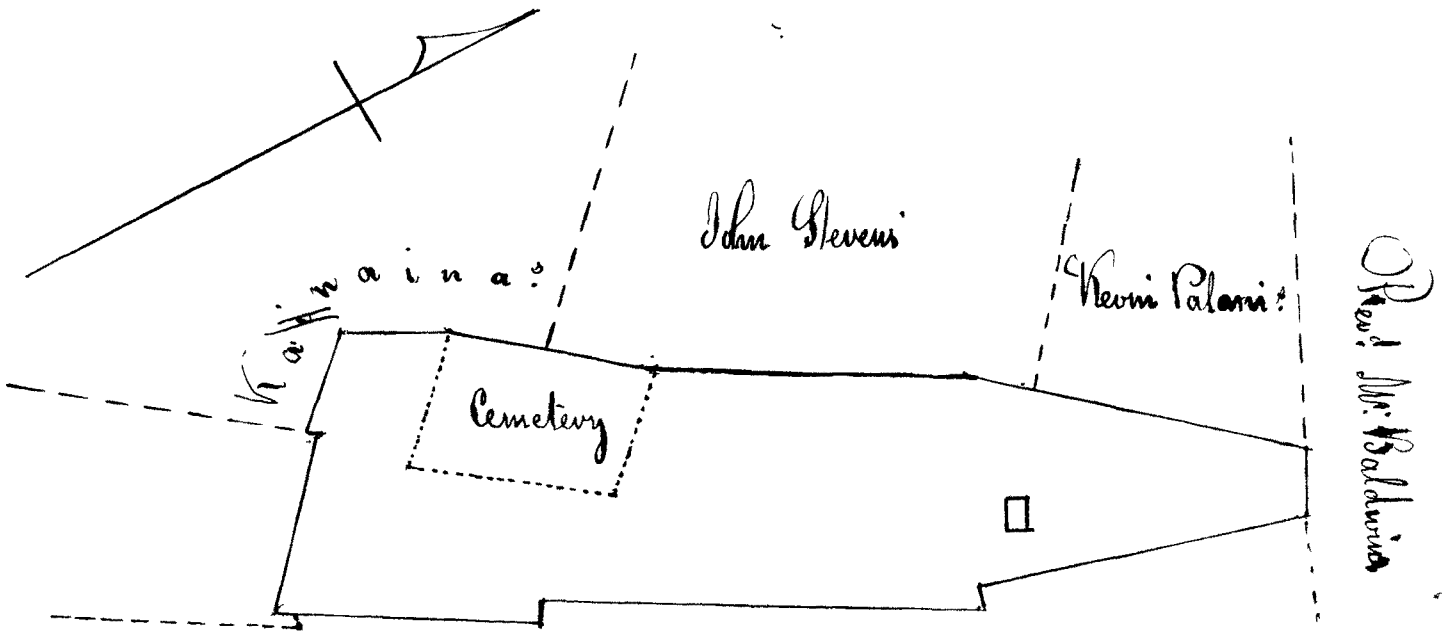
Commencing at stake at West Corner of Cemetery joining premises claimed by Cha.s Kanaina, and running South 27.° 45' West 1 Chain 6 feet along between this and Chas Kanaina's to stake by water run. Thence, South 41.° East 1 Chain 10 7/12 feet along between this & Kanaina's to Keaka's Wall. Thence 0 feet 6 7/12 feet left to Keaka's North corner. Thence South 48.° 15' East 1 Chain 59 5/12 feet along Keaka's to south corner of this place. Thence North 34.° 30' East 2 Chains 48 10/12 feet along between this & the Isaac Davis place (now Lepeka's) to angle. Thence North 50.° West 19 10/12 feet to angle. Thence North 30.° 30' East 4 Chains 43 feet along Lepeka's to angle. Thence South 69.° East 14 1/2 feet along Water run to angle. Thence North 17.° East 3 Chains 33 8/12 feet to premises claimed (but not occupied) by Rev.d Mr. Baldwin. Thence North 62.° 15' West 46 2/12 feet along between this & Baldwins place to Keoni Palani's (John a Frenchman's) place. Thence South 42.° West 3 chains 40 3/12 feet along Keoni Palani's & John Stevens to large rock by water run. Thence South 32.° West 3 chains 23 1/12 feet along John Stevens to North corner of Cemetery. Thence South 40.° 30' West 2 Chains 5 3/12 feet along Cemetery to point of Commencement. including an area of

Acres 2. Fathoms 496.

Dec.r 24. 1846. J. Metcalf.

(Note the Cemetery is included in the above) "

Diagram connected with the above notes in next page.



The Isaac Davis Place.

Part 1

"Notes of Survey of unoccupied place for E. R. Butler in Inaulka part of Lahaina, Maui - called Puou.

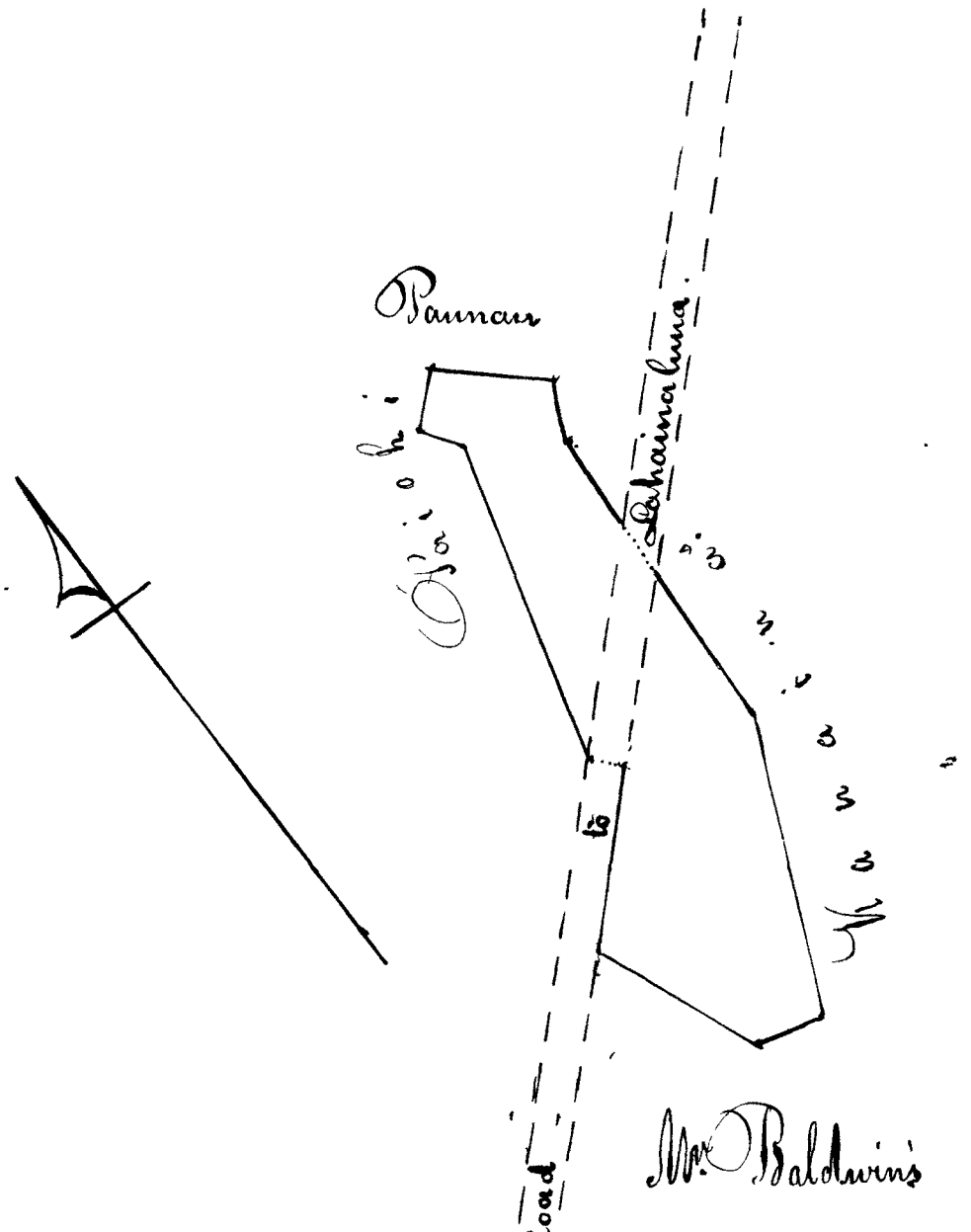
Commencing at rock at South corner of this land - joining Cha.s Kanaina's on East and Rev.d Mr. Baldwins land on makai side and running North 23° East 3 Chains 28 4/12 feet along between this & Cha.s Kanaina's to angle by water run. Thence North 3° 45' East 3 chains 29 8/12 feet along Kanaina's across road leading to Lahainaluna and to stake by corner of Walled, Kalo patch. Thence North 27° East 44 3/12 feet along Kalo patch to Paunau place Thence North 45° West 1 Chain 19 10/12 feet along Paunau to land called Paiohi at corner of stone wall. Thence South 52° West 46 10/12 feet along Paiohi to angle. Thence South 32° 30' East 35 feet to angle. Thence South 16° 30' West 3 Chains 37 7/12 feet along Wall to Road leading to Lahainaluna. Thence South 36° 30' East 25 8/12 feet across Lahainaluna road to stake on South side. Thence South 46° West 2 Chains along Lahainaluna Road to large Rock - Thence South 26° 30' East 2 Chains 5 3/12 feet along Mr. Baldwins to rock at angle - Thence South 70° 30' East 46 2/12 feet along Mr. Baldwins to place of Commencement - including an area of

Acres 1 - (Fathoms 118

deduct Road leaves " 1 " 9 Feet 17

Dec.r 24.th 1846.

(Diagram next page)



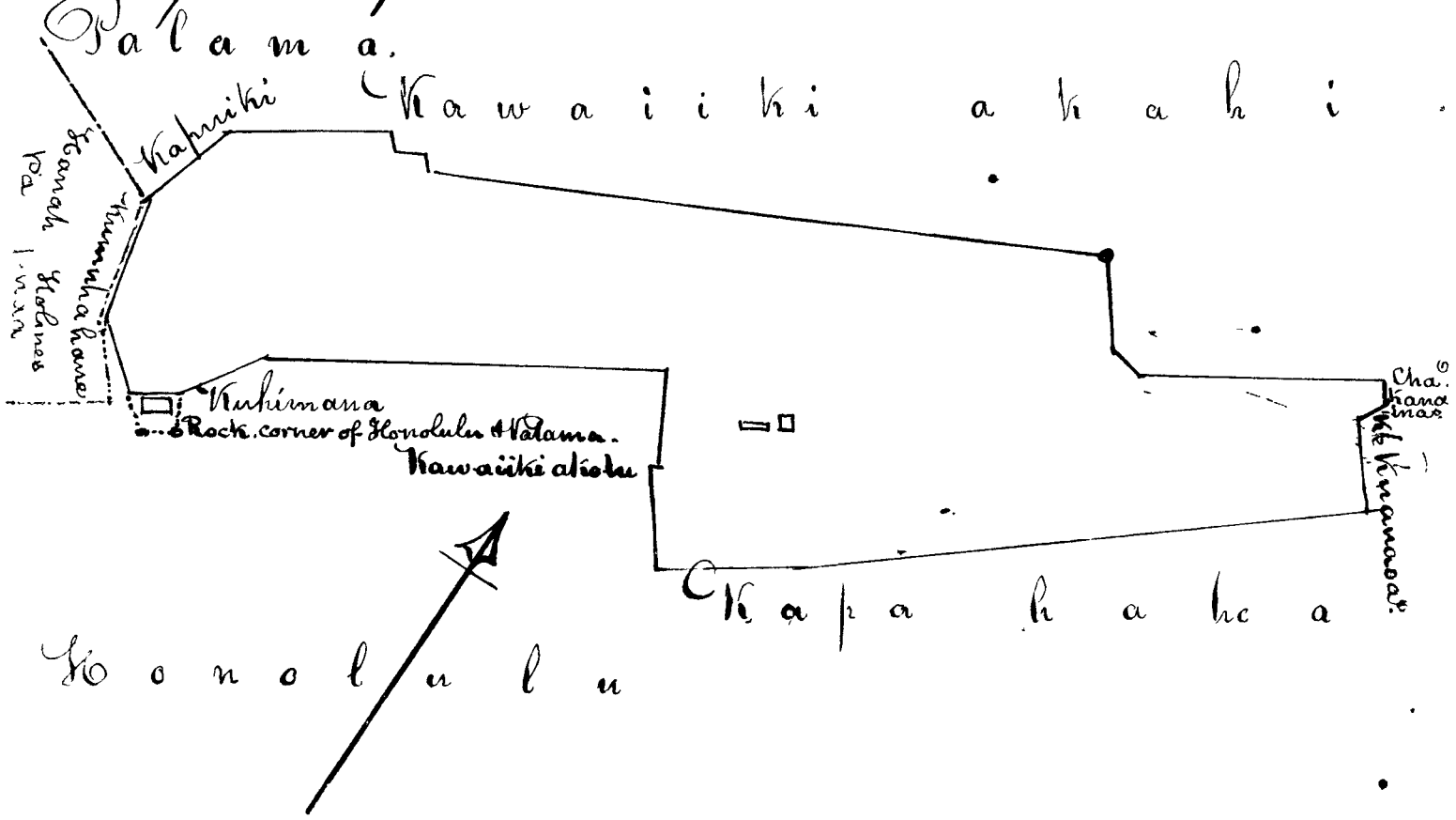
2. / Kawaiiki. Palama.

Notes of Survey of Kalo land called Kawaiiki elua in Honolulu joining Palama - for Edmund Butler.

"Commencing at North & Mauka corner of this land at pile of stones (dam) in water run, joining Charles Kanaina's on Mauka side & Kawaiiki akahi on North & West; and running South 62° 30' West 2 Chains 43 7/12 feet along water run and Kawaiiki akahi to stake & angle - Thence North 75° West 24 1/2 feet to stake & angle - Thence North 35° West 1 Chain 10 7/12 feet to stone and stake by water run (this point is marked in diagram) thence South 71° West 7 Chains 44 feet along water run and Kawaiiki akahi to stake & ang'e - Thence North 43° West -

8 7/12 feet to corner of Kalo patch - thence South 62° West 15 2/12 feet to angle - Thence North 38.° 30' West 15 2/12 feet to angle - stake - Thence South 62° West 1 Chain 54 9/12 feet to stone - thence South 23.° West 1 Chain 14 1/2 feet along Kapuiki to Stone marked + at North east corner of pa puaa belonging to Hannah Holmes thence South 8° East 1 Chain 22 4/12 feet along pa puaa to stone angle - thence South 49° 15' East 58 7/12 feet along pa paaa to stake even with N. West side of Makanui's house - thence North 63.° 30' East 41 feet passed Makanui's house to point N. 21.° 30' West 25 8/12 feet from long rock, the boundary point between Honolulu & Palama. Thence North 41.° 36' East 57 3/12 feet to stake, slight angle - thence North 64.° 30' East 4 chains 36 4/12 feet along Kuhimana to Kawaiiki akolu - thence South 21.° 30' East 1 Chain 5 3/12 feet to Corner Kalo patch - thence offset at right angles makai 8 feet to Young kauhata tree South 30.° 45' East 1 Chain 8 7/12 feet along Kawaiiki akolu to water run stake at Kuhimana - thence North 63.° 30' East 1 Chain 45 7/12 feet along Kuhimana & Pahaha to stake - thence North 56.° 30' East 6 Chains 39 7/12 feet along Pahaha to Kekuanaoa's land, the east Corner of this land - thence North 33.° West 1 Chain 7 3/12 feet along Kekuanaoa's to angle - Thence North 37.° East 23 9/12 feet to Cha's Kanaina's land - North 30.° West 17 10/12 feet along Kanaina's to point of Commencement including an area of. Acres 3 73/100

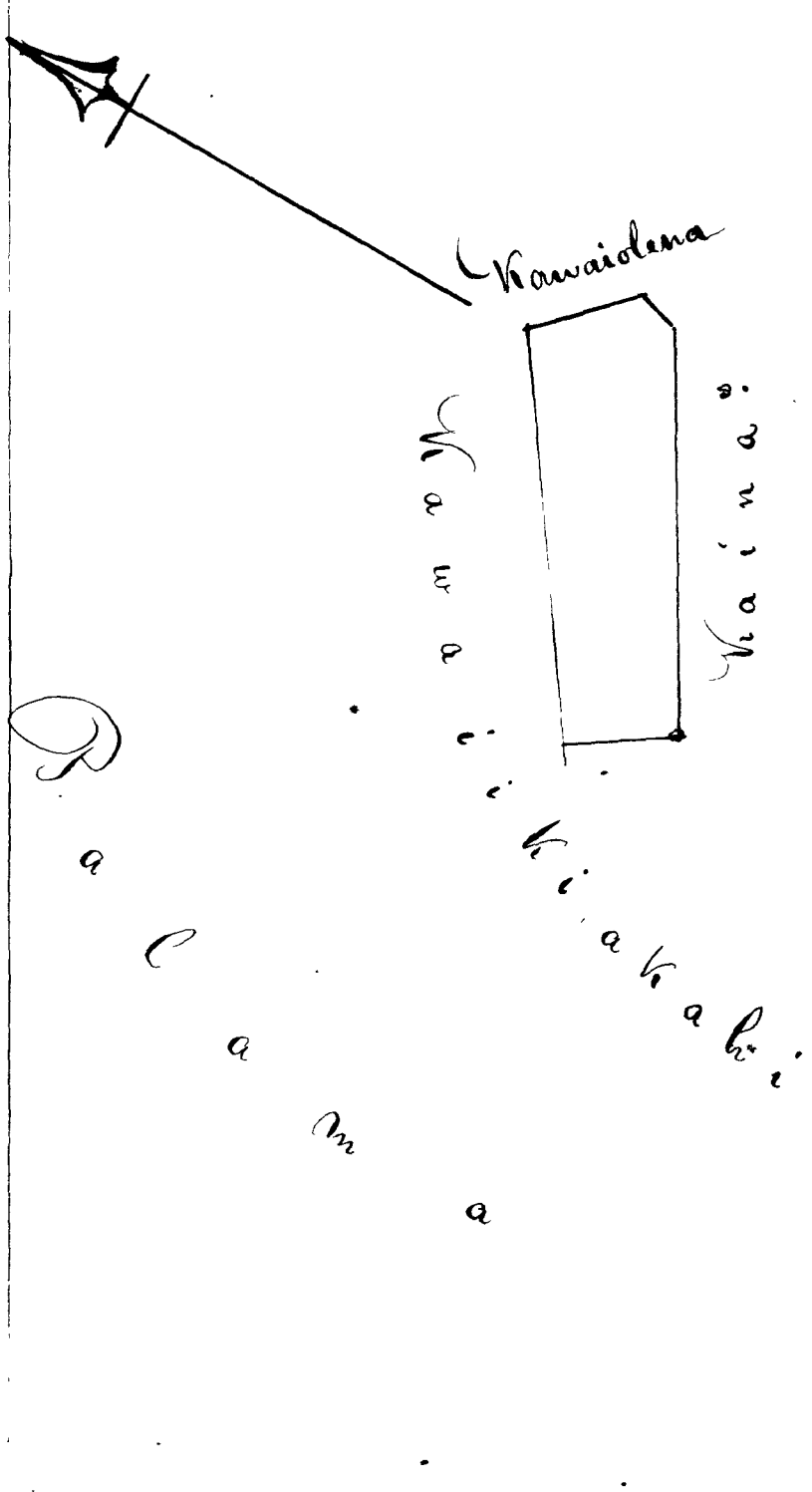
April 15. 1847.



120 Notes of Survey of land in Honolulu, near Palama called Kawaiiki elua for E. Butler.

"Commencing at South Corner of this land at Stone joining belonging to Kaina on East & Kawaiiki akahi belong.g to Kaholo on Makai side and running North 60.° East 4 Chains 19 2/12 feet along Kaina.s to angle one kalo-patch makai of Mauka boundary - thence North 29.° East 19 2/12 feet to east & Mauka Corner of this land - thence North 39.° 30 West 1 Chain 26 4/12 feet along land called Kawaiolena - belonging to Makahono thence South 57.° West 4 Chains 26 4/12 feet along Kawaiiki akahi (Kaholo?) to Stone at west Corner of this Land - thence South 32.° 30' East 1 Chain 15 10/12 feet along Kawa-iiki akahi to Place of Commencement — including an area of

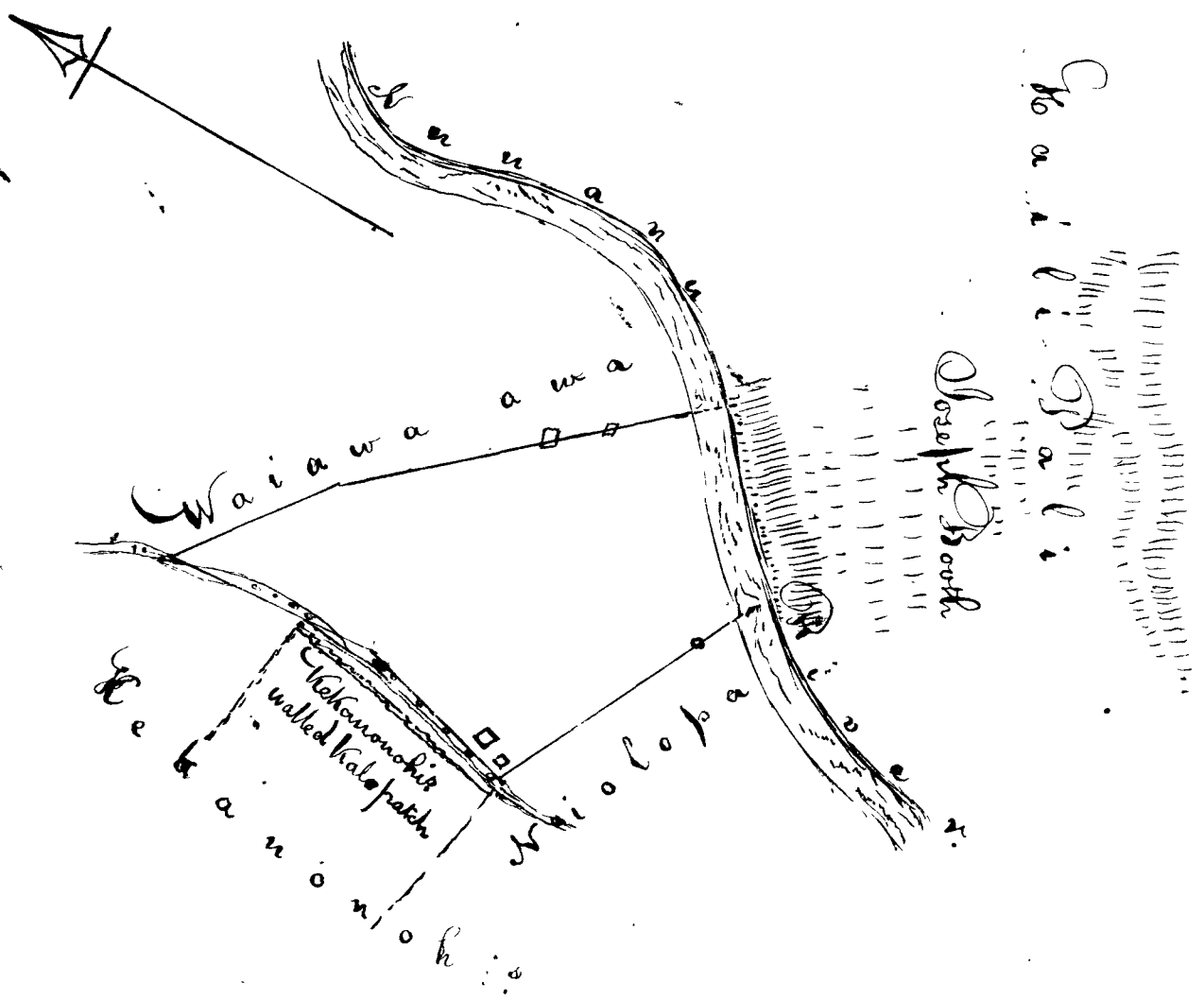
April 15. 1847. Fathoms 742 —



Notes of Survey of Land called Kawaiiki elua in Numanu Valley joining Niolopa, for E Butler.

"Commencing at large Rock marked + between Kumaikaina's house & River in a course North 45.° 30' West 1 Chain 20 ℔ from rock in River, the Mauka & East boundary of this land. & Running North 41.° 30' West 2 Chains 64 feet along Waiawawa cutting Makai end of Kumaikane's house to rock - slight angle thence North 51.° West 2 Chains 6½ feet along Waiawa awa to stake 6½ feet Makai of Rock marked + below wide wate. run with Kalo in it. Thence South 1.° 30 East 2 Chains 22 4/12 feet along wide water run to angle - thence South 10.° 45' West along wide water run to stake 8 7/12 feet from Makai & East Corner of Kekauonohi's walled Kalo patch. (all this wide water run with Kalo in it belongs to this land) - thence South 65.° 5' East 2 Chains 47½ feet along between this land and Niolopa to large rock below water run near River - thence ¾ chain on in last line to middle of Numanu River - then following along middle of River to Mauka & East boundary Rock in River - including an area of

April 15. 1847. Acres 1 45/100.



Board of Commissioners for Land Claims
Adjudication of Claim No. 32 Edmund R. Butler Dr.

To incidental Expences of advertising Claimants the Public Notice of Commissioners to quiet Land titles to all; & of Room hire while engaged in the investigation of their Claims		1	
To action, Motion and adjournment of Commissioners in the matter of his Claims on 29th April 1846		2	
To draft of depositions reduced in relation to his Claims	Fol: 4	2	
To Subpoena for attend.ce of Wm Sumner on 10th June			50
To do do of D.r Judd on 7 July			50
To action of the Board in the matter of his Claims on 30th June		2	
To draft testimony reduced & engrossed same day	Fol:		75
To action of the Board in the matter of his Claims on the 8th July		2	
To draft Testimony reduced & engrossed on the 8th Inst.	Fol: 1		75
To adjournment of the Board to the 14th Inst.		1	
To Citation for attendance of Claimant on 14th Inst			50
To further adjournment of his claims to 21st Inst.		1	
To action of the Board on 21st July		1	
To draft testimony reduced & engrossed 21st Inst.	Fol: 2	1	50
To Bill of Survey of Kawaiiki – 3 pieces of land		15	
To engrossing Survey of his claims	Fol: 16	8	
Report of Commissioners this day rendered on the above Claims		10	
		$ 49	50

Reserving the rights of native claimants within the specified boundaries, as the Law provides.

Honolulu
15th April 1847.

William Richards
John Ricord
A. F. Ramsden
D. Kaauwai

Costs
Costs $ 7 by order &c of Board &c Francis $ 7.–
42.50

Claim N°33 Thomas Cummins

On the 28th. day of April 1846 Keaniable, a native Hawaiian, by a formal deed, conveyed to the Claimant conjointly with his daughter Kaumaka, the Claimants Wife, the Premises in question; in consideration of love and affection. On the same day, the Claimants Wife released to him, (her husband) all her share in the Premises conveyed by her Father.

It appears from the testimony, that the Claimants Father-in-law, Grantor above named, had derived the land from Governor Adams, at the time he was Governor of Oahu; which was between the Years 1831 & 1833; and that he at that time enclosed it with a Fence; and has ever since Continued to occupy it to this day.

The first Rule clearly applies to this Case; and We accordingly Confirm this land to Thomas Cummins, as a Freehold Estate less than allodial; which may be converted into a fee-simple in his Wife's right; or in right of said Cummins' Children born of his Wife Kaumaka; at a Commutation of one third the unimproved value of the Land: to be ascertained on appraisement by order of the Minister of the Interior

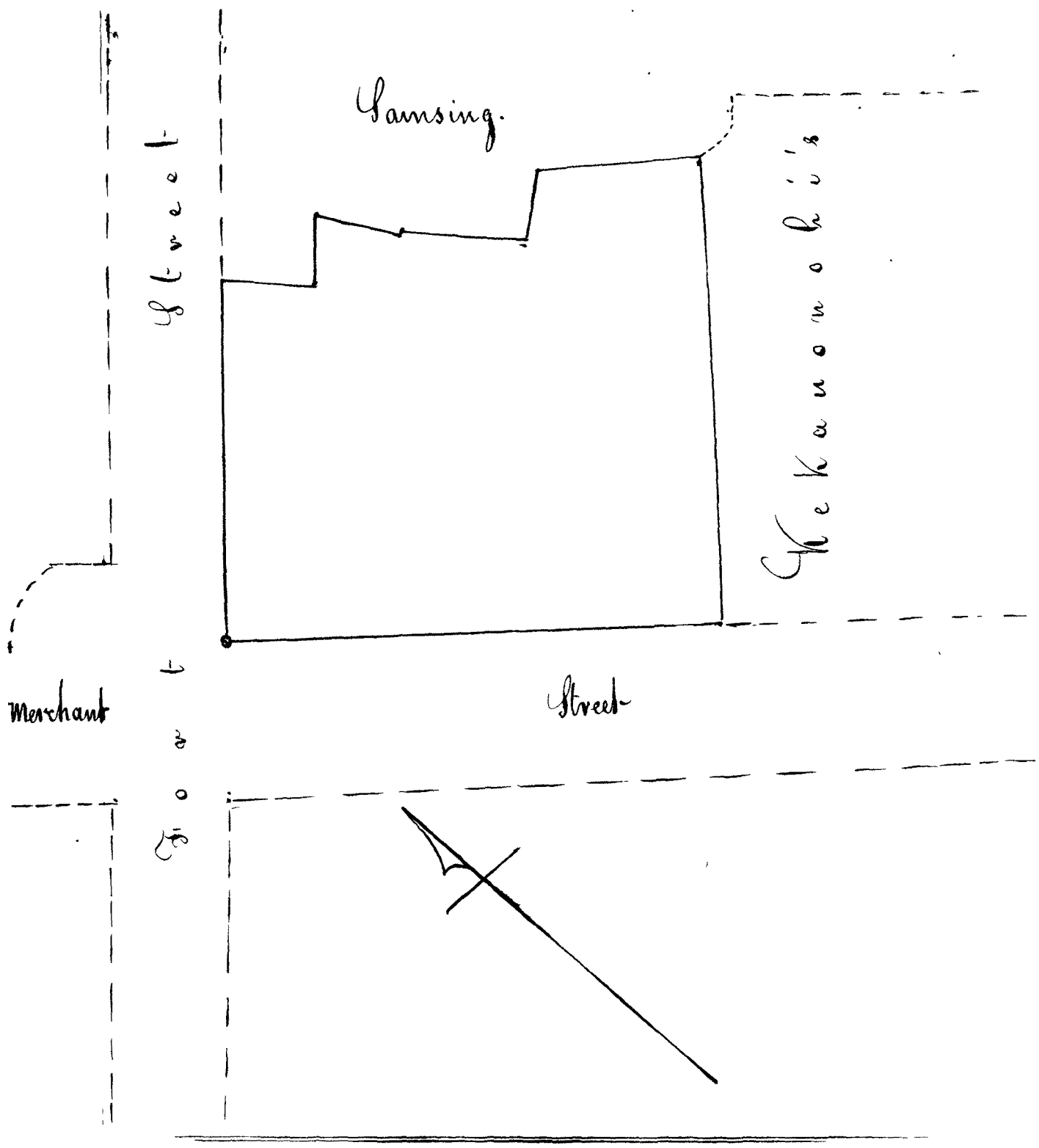
The Boundaries are as follows:-

"Notes of a Survey of Thomas Cummins' Store house lot in Honolulu- occupied by Richer & Johnson.

Commencing at West Corner of this lot joining Fort & Merchant Streets & running South 41°. 15' East 64 7/12 feet along Merchant Street to slight angle in wall- Thence South 43°. 15' East 52 8/12 feet along Street to Kekauonohis' lot occupied by L. Bent & Co- Thence North 49°. 15' East 1 Chain 45 7/12 feet along Wall (including it) between this & Kekauonohis' lot to Thence North 46° West 40 3/12 feet along Wall (including it) between this & lot occupied by Lot occupied by Samsing & Co = to a adobe house. Thence South 58°. West 17 2/12 feet along house to South corner- thence North 33°. 15' West 29 8/12 feet along makai side of adobe house to S corner of Cook house; thence offset makai 1 4/12 feet- thence North 26° West 20 1/2 feet to another mud house by Street- thence South 56° West 17 10/12 feet to South corner of house by Street- thence North 35°. 15' West 19 10/12 feet along makai side of house to Fort Street, thence South 50°.

124 30° West 1 Chain 21 1/2 Feet along Fort Street to place of Commencement: including an area of Fathoms 322 - Feet 8.

March 19 1847." }



Board of Commissioners for Land Claims.
Adjudication of Claim No 33 - Thomas Cummins Dr

To incidental expences of advertising claimants & the public notice of Commissioners to quiet land titles to all; & of room hire while engaged in the investigation of their claims	1
Carried over	

Bill for 1 &	1	
To action motion & adjournment of Commissioners in the matter of this Claim on the 29th April 1846.	1	
To draft of depositions reduced in Relation to this Claim Fol: 5	2	50
To Citation for his attendance on 10th June		50
To action of the Board in the matter of this claim on 10th & 16th of June	2	
To draft testimony reduced in Relation to this Claim on 10th Inst & engrossing Copy Fol: 2	1	50
To engrossing Copy of Survey of land claimed Fol: 3	1	50
Report of Commissioners this day rendered on the above Claim	5	
	15	
To Surveyors Bills	5	
	$ 20	

Honolulu
15 April
1847

William Richards
G. P. Judd
John Ricord
L. Kuaiwa
Lunalilo
J. Y. Kanehoa

Costs less $2

Adams

Claim № 34. John Neddles.

This Claimant sets up a proprietory right in two distinct pieces of land: one in Honolulu, which he claims, & from the testimony adduced, seems to have acquired, according to his own statement, in 1824; but according to the statement of Governor Kekuanaoa, soon after his (the Governors) return from England. Of this Piece he has had uninterrupted possession ever since, & has improved & built upon it, without dispute.

This piece of land therefore, comes under the first Rule; & We accordingly confirm it to the Claimant as a freehold estate less than allodial

Boundaries: —

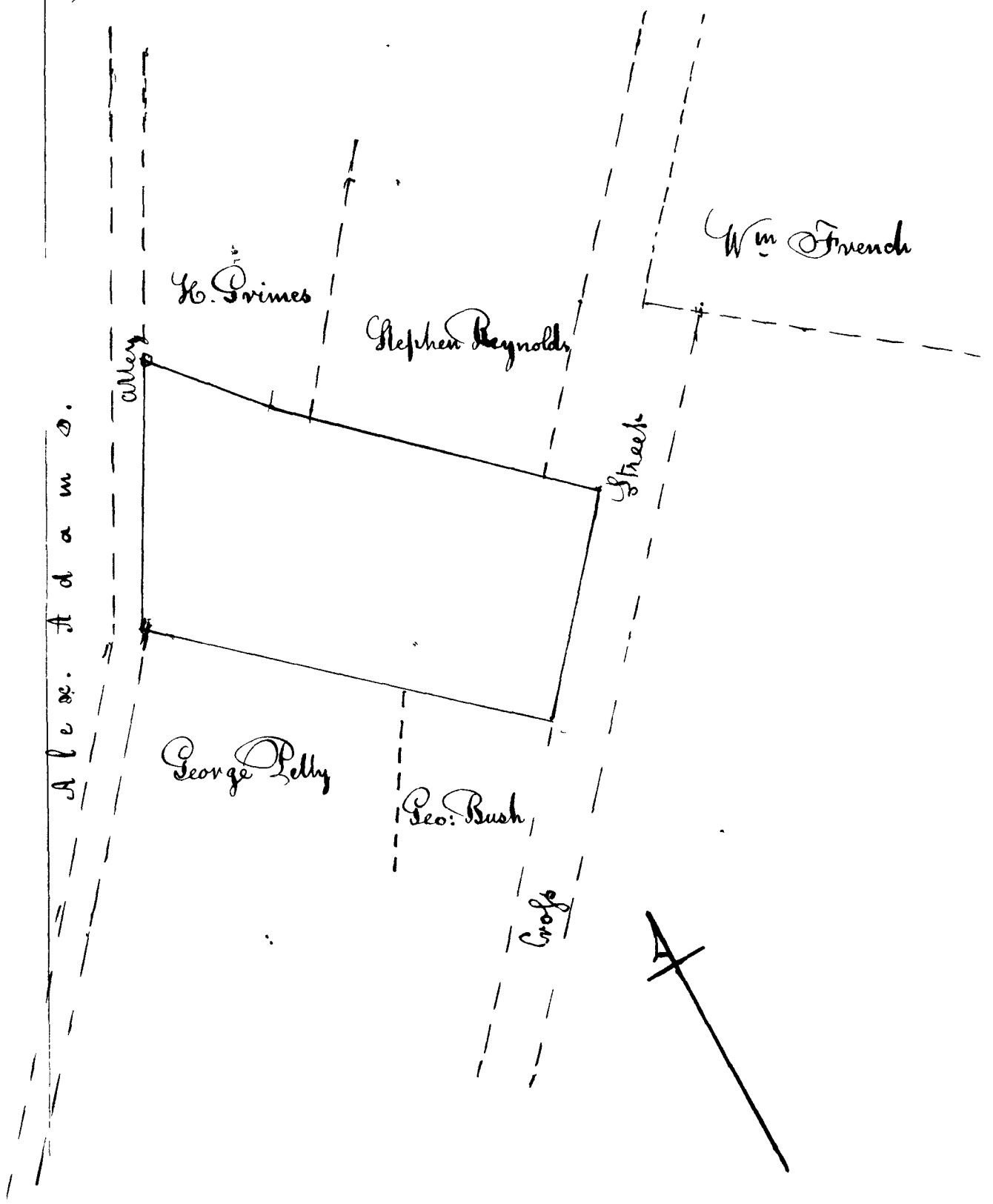
126

"Notes of Survey of John Nedelles Place in Honolulu.

Commencing at North Corner on alley seperating this lot from Alexander Adams' joining H. Grimes dwelling house lot at West corner & running South 28° West 123 4/12 feet along alley to North corner of Geo: Pelly's dwelling house lot. thence South 49° 30' East 195 2/12 feet along mauka side of Geo: Pellys & Geo: Bush's lot to Crofs Street thence North 40° East 110 feet along Crofs Street to east Corner of this lot- thence North 45° West 159 9/12 feet along line between this & Stephen Reynolds' place to slight angle in wall- thence North 42° West 64 feet along H. Grimes place of Commencement; including an area of

Fathoms 656.

April 8. 1847.



The other piece of Land which he claims is an ahupuaa by the name of Kailua, situated in Koolau, Island of Oahu. It does not appear ever to have belonged to the Claimant; nor that he ever, in any way, had possession of it.

Evidence has been exhibited that he had possession of a few taro patches on a land called Waolani, back of Honolulu; but he did not own the ili of Waolani: that was owned by Keamani; and Claimant had possession of the taro patches subordinate to him. It appears that at one period, a lot of land including these taro patches has been leased to Dr Rooke; of which Claimant complained to the King; & received a promise from him to "look up some more land for him;" and by mutual agreement it was sought for in Kailua. It is on record that an ili in Kailua was found & offered to Claimant; but he declined it: whether for good reasons or not, no evidence has been exhibited to this Board; nor would it be for us to decide on that Evidence, even if it had been brought.

We are only to decide whether the Claim to Kailua has been substantiated; and this We unhesitatingly decide in the negative.

Board of Commissioners for Land Claims
Adjudication of Claim No 34. John Neddles Dr

To incidental expences of advertising claimants & the Public Notice of Commissioners to quiet land titles to all; & of room hire while engaged in the investigation of their claims	1	
To action. Motion & adjournment in the matter of his claims on the 29th April 1846.	2	
To draft of depositions reduced in relation to his claims Fol: 4	2	
To Citation for his attendance on 17th June		50
To action of the Board in the matter of his claims on 17th of June - 1st Claim.	1	
To draft testimony reduced & engrossed 17th June Fol: 1		75
Carried over	7	25

128

Bro.t for'd	$ 7 .	25
To action of Board on 11th August in the matter of his second claim & issuing Subpoena	1	50
To draft testimony reduced & engrossed on the 11th Inst. Fol: 3	2	25
To Surveyors Bill (1st Claim)	5	
To engrossing Copy of survey Fol 2	1	
Report of Commissioners this day rendered on the above claims $5 each -	10	
	$ 27	

Cl. to Isabella Market lot Conditionally relinquished Cl. of Kolau privately arranged by Gov't the case now here awar. only stands.
H.K.P.
Com. of Tes. Vs. 1p. 36.

Honolulu 15th April 1847

Costs less $ 6.50
do Survey paid 5
by Ce. to F. M. 11.50

William Richards
J. H. Nawahi
John Ricord
D. Kuaiwai
Joane Li

Claim No 35 Heleheva postponed

Helu 22. Hoʻoilina o Welaula e kue ana ia G. Kawaina.

He wahi kuleana keia i hoʻopaapaaia. Ua akaka nae ke ano. Ua hoʻokumuia i ke kau ia Liholiho. Ja manawa noho mai o Welaula iloko o na pa nei me ka hoʻomaopopo oleia na lilo maoli ia ia. Aka, i ka noho ana o Kinau i Kuhina Nui, nana no i mahele i ko Welaula wahi, ana akaka loa; eia hoi na mokuna.

E hoomaka ana ma ka lihi kai ma ke kihi Komohana Akau hoi o ka pa hale o Napahi, a moe aku ka aoao mua i ka N. 60° Hi. a moe aku i 56 kapuai a hiki hoi i kahi anakee o ko Napahi pa, ma ka aoao hema hoi o kahi puhala; huli i ka N. 53° Hi. a moe aku 1 Kaulahao. 53 kapuai 4 iniha, a hiki i ke kihi hikina akau o ko Napahi pahale; huli i ka N. 40° K. a moe aku i 56 kapuai a hiki i ke kihi Komohana akau o ka pahale o Manuela; huli i ka Ke. 50° K. a moe aku 1 Kaulahao 23 kapuai 4 iniha, a hiki i kahi anakee o ka pa o Kane; huli i ka Ke. 57° K. a moe aku 1 Kaulahao 5 kapuai 4 iniha a hiki i ka lihi kai) e pili ana no i ko Kane pa, alaila, huli i kahi i hoomaka'i i ka Ke. 22° Hi. a moe aku 54 kapuai. Eia hoi ka ili maloko 33 roda.

O keia ka makou e hooko nei no ka hoʻoilina o Welaula, o kana keiki paha ia. He ano kuleana nui keia malalo o ke ano alodio. Ua kupono nae ia ia ka Palapala Sila nui ke uku ia i ko ke Aupuni hapakolu.

O Kawaina ka mea ia ia ka noho ana mana pa nei, a hiki i ka manawa e oo ai ke keiki, Oia ka makou i hoohalo ai.

Eia ka uku no ka hookolokolo ana a me ka hoohalo loa ana i ka olelo.

No ka olelo ana hoike i koheia i ka la
10 o June 1846 – 500 kuaolelo $
No ka hana ana ia la
No ke ana ana
No ka hoohalo loa ana i ka olelo

2	50
1	"
2	"
5	½
$10	50

Pau loa.

Honolulu
8 May 1847

William Richards
S. E. Kaaihua
D. Kaauwai
Actg Record.

Helu 36. Na Poeha.

Ua hoopii mai o Poeha e hooko makou i ka= hi ana e noho nei no na kaikamahine a Charles Simons i make mamua aku nei. Ua make ia i ka makahiki 183⅞ a kanoha oia i kona wairwai paa a me kona wai= wai leva, no na kaikamahine ana, a eia no ia makou kana palapala kanoha.

Mahope iho o ka make ana o Simons mare kana wahine me Poeha ka mea nana i hoopii mai nei. Ua kue mai nae o Kaunuohua, a koi mai ia makou e hoonele ia mau kaikamahine a hooko ia wahi nona.

I ka hookolokolo ana, eia na mea i hoikeia mai, i ka makahiki 182⅞ nonoi o C. Simons i ke alii i wahi e noho ai, a haawi ke alii ia ia i kela wahi a Poaha e koi nei. Ua olelo ia mai nae no Kalauwalu kela wahi mamua. Ina he oiaio, aole ia he mea nui no ka mea, i kela manawa hiki no i ke alii ke haa= wi i kela wahi i keia wahi ana e manao ai; aole nae i akaka ko Kalauwalu puuno i kela haawi ana; no ka mea, na Kale i hana i kona pa, a nana i hana i kona hale, aole na Kalauwalu i hana, a ua olelo ia maloko o kela olelo a ka Poe Ahaolelo i hoohololo ai, av= le i haawi aku ke alii i kahuahale i na haku i mea e wairwai ai lakou i ka haawi hou ana. Ua hoike mai no hoi ke Kuhina Nui i kona nana ana, he ano haa= wi lilo loa kela haawi ana o ke alii. Ua akaka no hoi ko Kale noho maluhia ana ma ia pa no na maka= hiki he umi, a ua maopopo no hoi ka noho maluhia ana o kana wahine mai ia manawa mai, a oia hoi ka wahine a Poeha i keia wa. E noho ana oia malaila i ka makahiki 1839 i ka wa i kauiaii ke Kanawai; a i kela wa aole i maopopo ko Kalauwalu kuleana malaila. Ua hoikeia mai nae ke kii ana mai o Kanikela, o R. Charlton i kela wahi i mea e haai ka aie o Kale, a hoole o Kekuanaoa. Aka, aole ia i pai i ka wahine kane make a Kale, aole hoi i pai i na kaikamahine a Kale. Ua noho ma= lu o Poeha ma malaila mai ka wa i kauiaii ke Kanawai a hiki mai i keia wa, a nolaila, ua komo keia kuleana iloko o ka Helu 1 o na olelo a ka Poe Ahaolelo i hoohololo ai.

Ina hoomaopopoia mai ka noho ana o Kale manuli o Kalauulu, ina ua ano okoa, aka, i ka nana ana i ka olelo a na hoike, ua noho oia manuli o ke alii. Nolaila, ke hooholo nei makou i ka olelo no na kaikamahine a C. Simons no ke=la wahi.

Eia kwi na mokuna, E hoomaka ana ma ka aoao akau o ke alanui o Beretane 15 kapuai 4 iniha hoi mai ka lihi mai makai o ke alanui hale kuai, a hiki i kahi i hoo=maka'i; a moe aku ka aoao mua N. 60° W. a holo aku 2 Kau=lahao 38 kapuai, a hiki i kahi alanui oloi mawaena o keia pa a me ke Kaaiawaawa ma mau pa, 17 kapuai 4 ini=ha mai ia kihi ae, a hiki i ka lihi makai o ke alanui ha=le kuai; huli i ka He. 39°30' W. a holo aku 48 kapuai 8 ini=ha a hiki i kahi e kupono ana i ka aoao hikina o ka pa o Opunui ma ka aoao kema hoi o kahi alanui oloi i hoa kakaia mamua; huli i ka He. 45°00' Hi. a holo aku 1 Kau=lahao 65 kapuai 4 iniha a hiki i kahi kanahua o ka pa o Kane; huli i ka He. 42°30' Hi. a holo aku 27 kapuai 4 iniha, a hiki i ke kihi hikina kema o ka pahale o Kane; alaila, huli i kahi i hoomaka'i i ka N. 46°30' Hi. a holo aku 1 Kaulahao 20 kapuai 8 iniha. Eia ka ili maloko 38 rods.

He ano kuleana nui ko lakou malalo o ke ano alodio, kupono nae ia lana ka palapala sila nui ke ukuia mai ko ke Aupuni hapakolu. A aia no ia Poe=ha ka noho ana ma ua wahi la a lilo na kaikamahi=ne i wahine makua.

Penei nae e uku ai o Poeha no ka hookolokolo ana.

No ka nuni a me ke pai ana i ka olelo na ka Nu Pepa		1	
No ka hana ana i ka la 17 o June 1846		1	
No ke kope ana i ka olelo a na hoike ia la 800 kua olelo		4	
No ke kii ana ia la			50
No ke kope ana i ke kauoha a Simons		1	
No ka hoohalo loa ana i ka olelo		5	
No ke ana ana		2	
Pau loa	$	14	50

Honolulu
8 May 1847

William Richards
John Ricord
S. C. Lanekea
D. Kaanaai

1124 V2 of 2

Claim № 37. James Austin.

The Claimant, an Hawaiian subject derives from a formal deed executed to him by James Vowles a British subject dated 21st April 1846. The history of Vowles' derivation, is however, only traceable by oral testimony of Witnesses, but of this, there appears to be abundance, going to show that Lewis Gravier originally purchased the place of Kaleohano for $60, with Governor Adams' Consent: a form of permission, always required in Courtesy to the Lord Paramount, whose title was not extinguished by such transactions.

In 1832 or 1833 Stephen Reynolds purchased it of Gravier for $200; & sold it to Joel Deadman for the same price. Deadman kept a Public house upon it, and sold it to Alexander Smith Lone Church, from whom James Vowles - Austins Grantor obtained it. It has been constantly occupied & improved ever since, long anterior to the 7th June 1839 - Consequently comes under the First Rule. No natives are Claimants of even possessory rights in it.

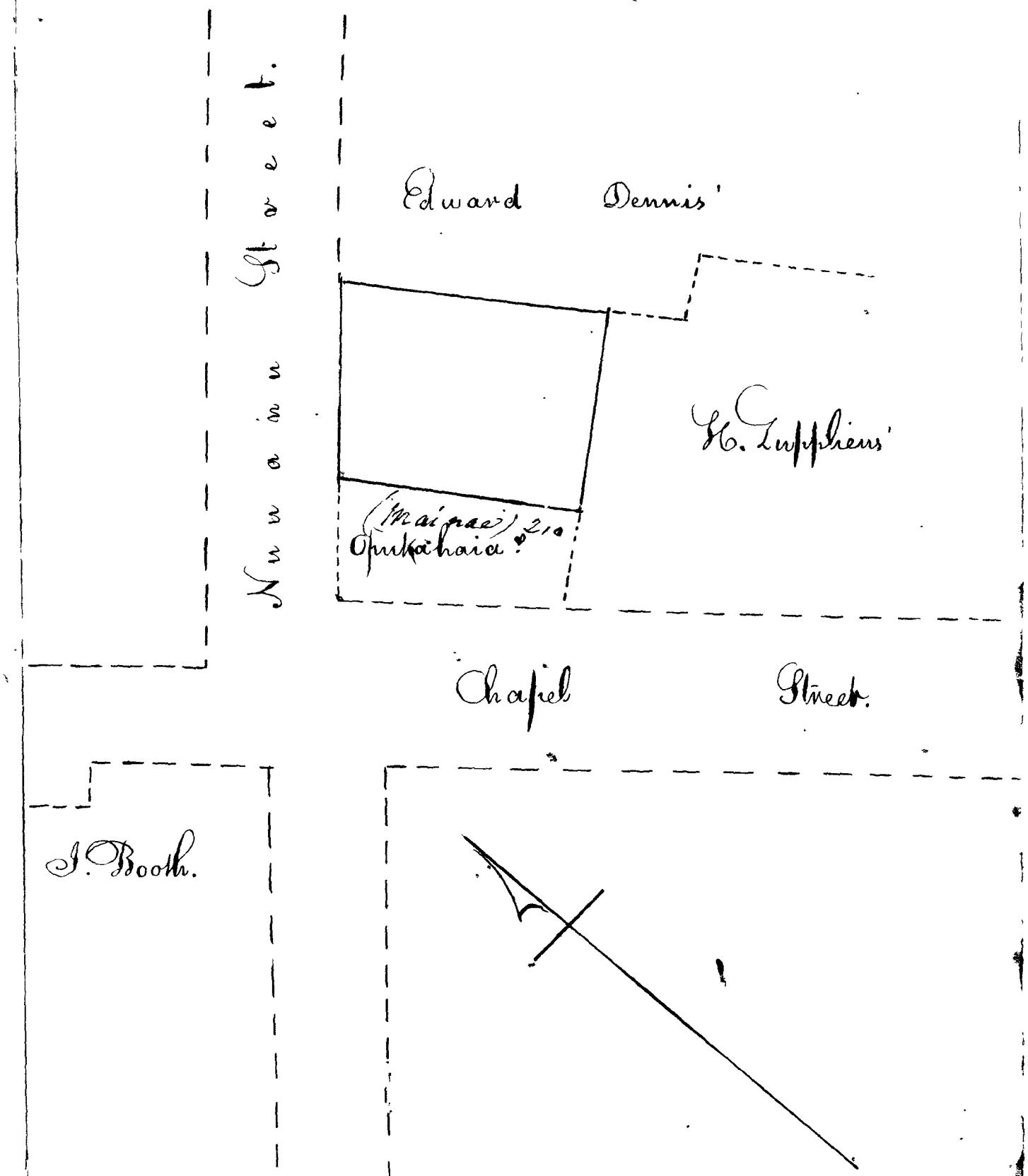
We Consequently Confirm it as a Freehold less than allodial, to James Austin, who may Commute it for a fee-simple, upon payment of one third the unimproved value of the land; to be ascertained on appraisement by order of the Minister of the Interior.

Boundaries as described by T. Metcalf Esq.

Notes of Survey of James Austins Store lot in Pole-Liwa, Honolulu

"Commencing at North Corner of this lot on Nuuanu Street, joining Edward Dennis' lot on makai side of it, & running South 34° East 66 feet along wood fence (including it) between this lot & Edward Dennis' to Henry Kupplieins dwelling house lot. Thence South 59° 30' West 50 5/12 feet along inside of stone wall between this & H Kupplieins lot to South corner of this lot. Thence North 31° West 58 7/12 feet along between this and Opiu-Kahaia's lot to Nuuanu Street. Thence North 51°.

15' East. 47 6/12 feet along Numanu Street to place of Com-
-mencement- including an area of
March 9. 1847. Fathoms 83 - Feet 19.



Board of Commissioners for Land Claims
Adjudication of Claim No 37. James Austin Dr

To incidental expences of advertising Claimants the public notice
of Commissioners to quiet land Titles to all; & of Room hire

	While Engaged in the investigation of their claims	$ 1	
	To action, Motion & adjournment of Commiss-		
	-ioners in the matter of this claim on 17th June 1846	1	
	To draft of depositions reduced in Relation to this		
	claim Fol: 4	2	
	To Citation for attendance on 24th of June		50
	To action of the Board in the matter of this		
	claim on 24th June	1	
	To draft testimony reduced & engrossed in re-		
	-lation to this Claim on 24th June Fol: 2	1	50
	To adjournment of this Claim to 30th June	1	
	To action of the Board in the matter of this		
	Claim on 7th of July & adjournment of same		
	to the 14th	1	
	To 3 Subpoenas for 14th July for attendance of		
	Witnesses	1	50
	To action of Commissioners on 14th July	1	
	To draft testimony reduced & engrossed 14th Fol 2	1	50
	To Surveyor's Bill	5	
	Engrossing Copy of Survey Fol 2	1	
	Report of Commissioners this day rendered on		
	the above Claim	5	
		24	

Honolulu
8th May 1847.

William Richards
John Ricord
J. Y. Kanehoa
L. Kaauwai
Lorrin Le

Costs less $4

Claim No 38. E & H. Grimes.

These facts have come to the knowledge of this Board through the testimony of Witnesses: viz-

In 1820 Marshall & Wilds, Merchants, were living at Honolulu, Oahu; & their business was conducted by a Mr. Babcock. The occupancy of these premises (i e) those occupied at present by E & H. Grimes the Claimants, & those occupied lately by Ladd & Co, which then formed one undivided lot of land:- was sanctioned in the usual way by Karaimoku. In 1823 Captain Babcock departed for Boston; & Thomas Crocker succeeded him as the Agent of Marshall & Wilds. In 1825. Mr. John C Jones returned to the Islands from the U. States; & assuming the agency of Marshall & Wilds, Mr. Crocker went home. Mr Jones continued the agency of Marshall & Wilds until 1834.

During Mr Jones' agency (i e) in the Year 1833 Mr. Wm S Hinckley, who had been previously in negociation with Mr Jones for the purchase of the whole premises, proposed to Ladd & Co, that He (Hinckley) would purchase of Jones the whole premises on the best terms he could obtain them for; & that then he would divide them as nearly as possible; & Ladd & Co might have their election of the two parts: Hinckley, however, to take the wooden & grass buildings then upon the Premises at 2 fifths of the purchase Money. Ladd & Co were left to the rejection or acceptance of this proposition, until the arrival of Jones who was then on the coast. When Jones returned, the bargain was completed between him & Hinckley. Upon concluding this arrangement of sale to Hinckley, Jones exhibited his power of attorney from Marshall & Wilds, to effect the sale; and as the basis of the title of his constituents - a bill of Sale from Karaimoku, which specified "Certain Buildings & Premises, Privileges & appurtenances thereto belonging". The Consideration given to Karaimoku was a Wooden house. Mr Hinckley then sold one half to Ladd & Co & removed the wooden

building; which is now occupied by Mr. Grimes as a store together with the Grafs houses.

In the last of 1836 or before 1837 Hinckley sold to Stephen Reynolds; & on the 1st day of April 1837 Stephen Reynolds sold to Eliab Grimes & Josiah Thompson that portion of the premises retained by William S. Hinckley, as above narrated, for the Consideration of six thousand dollars; and in his Written deed, "warrants & defends this Grantee against all claims; excepting only such Claims as the Sandwich Island Government may make on the Land."

There is no difficulty therefore in arriving at the fact, that originally this Land, as well as the adjacent portion occupied by Ladd &Co., belonged to the Government; & came in the usual possessory way to Marshall & Wilds, who built upon & improved it, as other Claimants have done; and that this is the species of title which has been transmitted through the various intermediate occupants down to the present claimants, with an express written admission of the last preceding occupant that the Government of the Sandwich Islands had some claims to make on the Land."

There are no native private rights involved in this land, nor is there any Counter Claimant.

We accordingly Confirm it to Eliab Grimes and Josiah Thompson as a Freehold Estate less than allodial

Boundaries as described by Theophilus Metcalf Esq^r "Of Store lot: Commencing at boundary point on Nuuanu Street, between this lot and Ladd &Co.; & running North 36° West 216 feet along boundary line between this & Ladd &Co's lot to west Corner of warehouse standing in this lot. Thence North 52° East 75 feet along North West side of Warehouse to Don Marini Street (the street leading to Mr Hunters). Thence South 36° 30' East 219 feet along Don Marini Street to East Corner of this lot at point of intersection of the sides of this lot on Nuuanu & Don Marini Streets produced 9 3/12

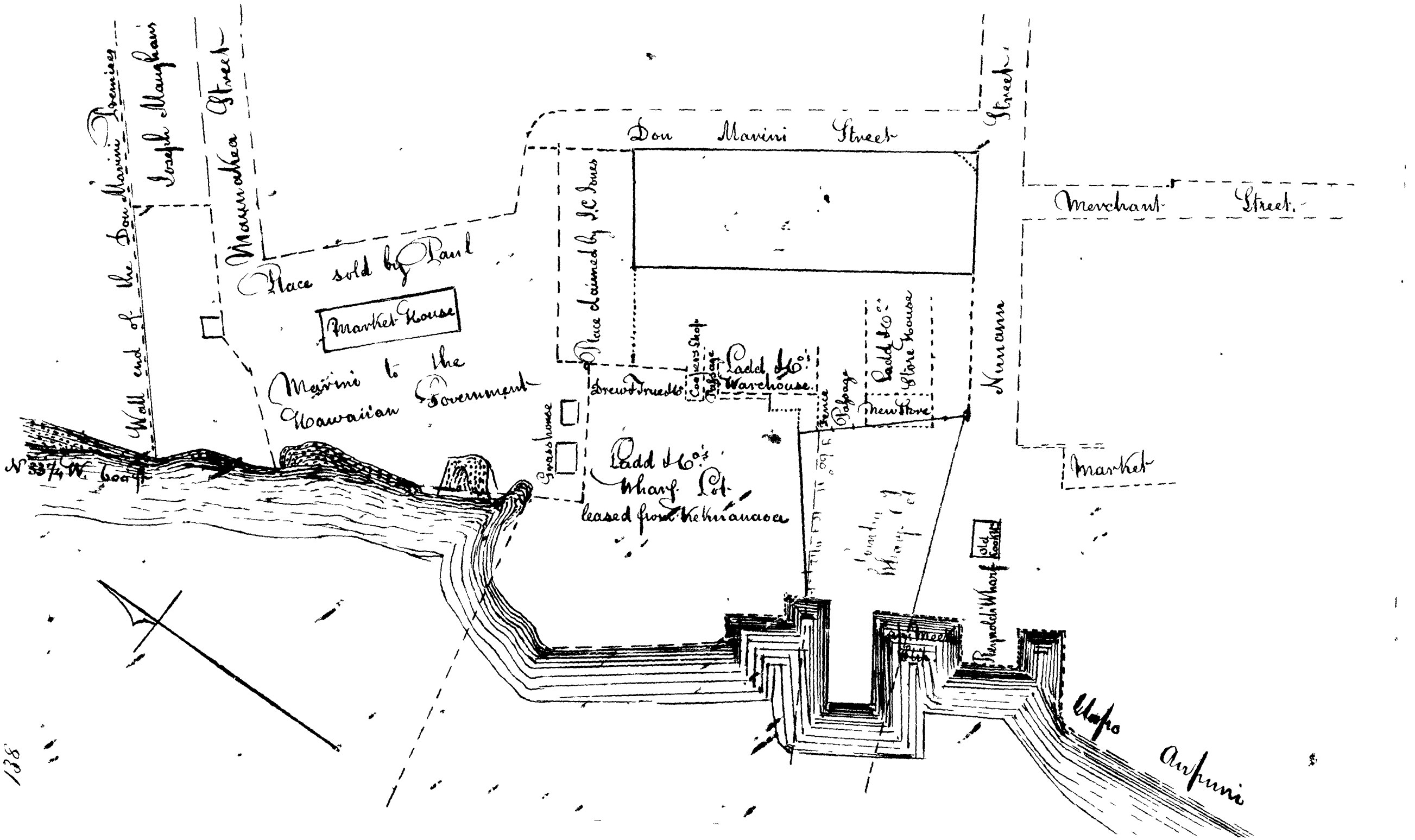
(Grass Wall as it now stands - Thence South 54°. 45' West 79½ feet along Nuuanu Street to place of Commencement: including an area of

Fathoms 466. Feet 22. "

"Notes of survey of "Company Wharf lot" (Grimes & Co owners an undivided half) Commencing at South Corner of stone wall & premises of Ladd & Co (Store house lot) joining Nuuanu Street & running North 41°. 45' West 96 8/12 feet along Makai side of Ladd & Co Store house lot cutting south Corner of Ladd & Co new Store as it now stands, to post at Makai & west Corner of paling fence, coming down from South corner of Ladd & Co warehouse: Thence South 60°. West (104 11/12 feet to Stakes by & scoring on Wharf timber) along between this & Ladd & Co wharf lot. No 1. into deep water - Then again from point of Commencement & running South 71°. West along S. East side of this lot, joining ground owned by Hawaiian Government situated between this & Stephen Reynolds Wharf Lot, to west side of Stem davit post (133 feet to it) of Capt. Meeks pilot boat. 27 9/12 feet from Copper bolt in string piece on Mauka & East Corner of long Wharf of this lot, and into deep water - always reserving a public road of good & sufficient width across Mauka part of this lot.

N. B. This Survey is in accordance with the decision of a commission appointed by Board of Land Commissioners to determine the boundaries
May 7th 1847. J. Metcalf

(See diagram in next page)


Wall end of the Don Marini premises
Joseph Maughan's
Mauwaahea Street
Place sold by Paul
Market House
Marini to the Hawaiian Government
Grasshouse
Don Marini Street
Merchant Street.
Ladd & Co's Warehouse.
Ladd & Co's Store House
New Store
Nuuanu
Market
Old Coal Shed
Reynolds Wharf
Wharf
N 33¼ W. 600
138

Board of Commissioners for Land Claims
Adjudication of Claim No 38 E. H. Grimes

To Incidental Expences of advertising Claimants the public Notice of Commissioners to quiet Land titles to all; & of Room hire while engaged in the investigation of their Claims		1	
To action, Motion & adjournment of Commissioners in the Matter of this Claim 17th June 1846		1	
To draft of depositions reduced in Relation to this Claim	Fol: 5	2	50
To engrossing Copy of Plan	Fol: 2	1	
To Citation for attendance on 24th June			50
To action of Commissioners on the 24th June		1	
To draft testimony reduced & engrossed same time in relation to this Claim	Fol 9	6	75
Surveyors Bills of 12th April & 7 May		40	
To engrossing Copy of Survey	Fol: 8	4	
Report of Commissioners this day rendered on the above Claim		5	
	$	62	75

Honolulu
10th May 1847.

William Richards
S. Kanehoa
D. Kaanwai
Lot Kamehameha
John Ricord

Delivered 28 July 1848.
to Hiram Grimes by Mr Buckwood

Catholic Mission. Claims — 39. 40. 41 42 — L. D. Maigret.

This is a peculier class of claims: of which there are several on the behalf of the Catholic, & several on the behalf of the Protestant Missions. Those who represent the Catholic benevolence in these Islands are mostly French & British subjects; and those who represent the Protestant benevolence are mostly American Citizens. The lands claimed by these respective sects of Christians, are claimed for eleemosynary purposes. They must receive equal favor, under the 4th Part of the act to organize the executive departments, which declares, that the same Civil rights & protection shall be extended by this Government to each. The object of encouraging religious denominations, is to benefit the native race, by extending to them the blessings of Christianity & education; which these two sects of Missionaries profess benevolently & gratuitously to devote themselves to instilling. With this view, the 4th part of the organic act, creating this Board, has provided that all Lands set apart for religious purposes shall be nominally held by the Minister of Public instructions in trust for the uses to be described in the Patent: So that the Land is not in fact alienated from the Crown; but is only set specially apart for a special purpose; and the Minister of Public instruction cannot divert it from that object, so long as the uses continue to be fulfilled.

These Remarks apply only, however, to all lands so set apart after the 20th of August 1846: the day when the 4th Part of the act took effect. The Claims now under consideration were derived anterior to the Ministry of Public instruction; & cannot therefore be fairly retroacted upon: though in confirming them allodially to the Roman Catholic apostolic Church by a title not pretended to in any instance on the part of the Protestant Missionaries, in regard to lands acquired by them long anterior to these; & which is also a title conferred upon individual claimants, only upon payment of the Commutation claimed by the Government. We consider that it is just also to

exact Commutation in these cases as in others; otherwise the Title cannot be greater than a Freehold less than allodial.

With this view We confirm to the use of the Roman Catholic Church of the Hawaiian Islands, over which the Rev.d L.D. Maigret is at present, apostolic Prefect; & over which, his successors, according to the tenets of the Church of Rome, may be, from time to time appointed, — the following pieces of land, to be used in the service of said Church & religion. Viz: —

Oahu No. 39.

The portion of land, which, as appears from the informal proof of John S. Mitchiner & Richard Charlton, was given by Boki, then Governor of the Island of Oahu, in the presence of the King, to Messrs. Bachelot & Short, Catholic Missionaries upon their first arrival at these Islands in 1827, - "but whether for their own private use, or for the use of the Mission," does not appear

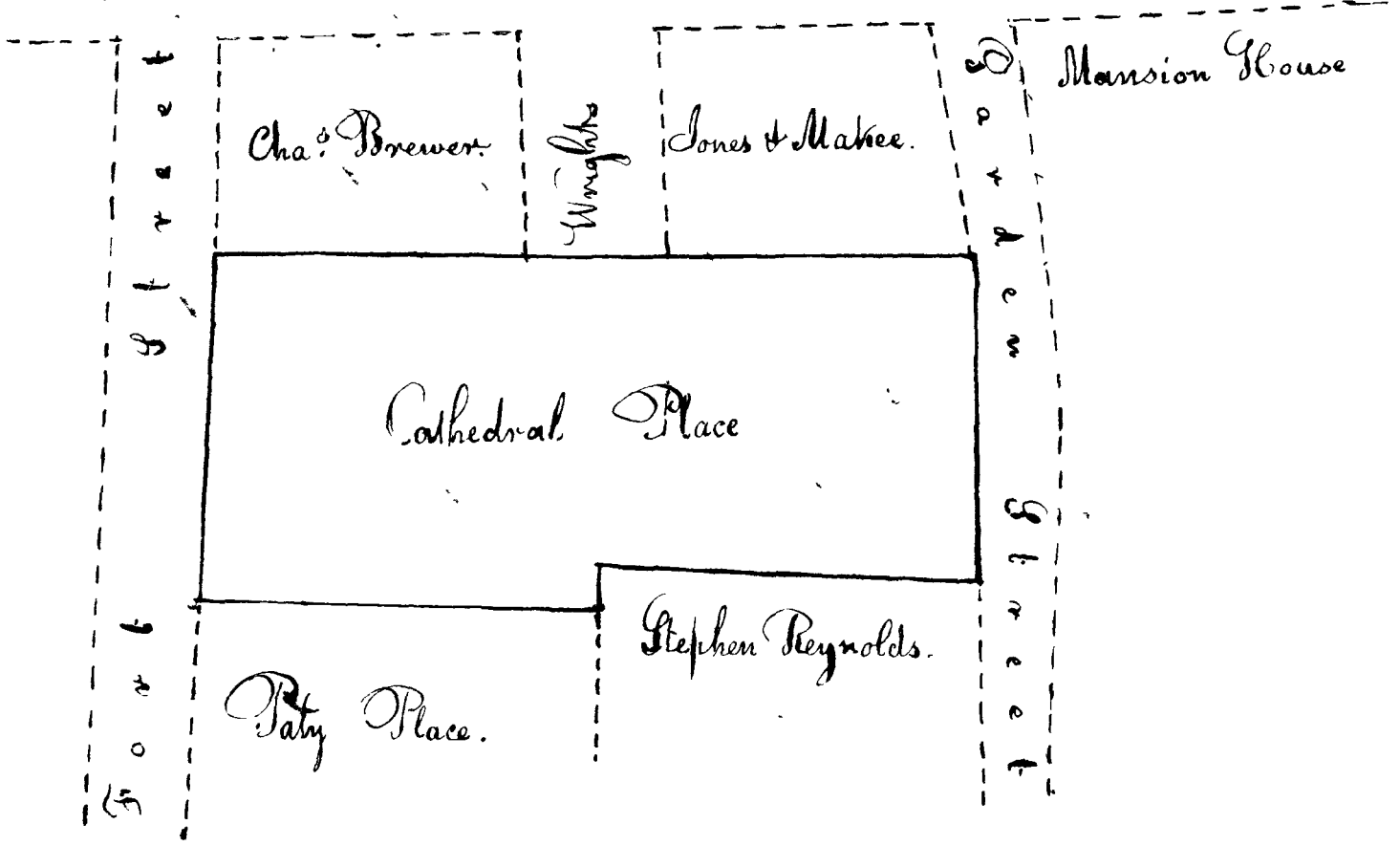
Boundaries as defined in Survey of Theophilus Metcalf Esq.r on 8th April 1847

"Notes of Survey of place occupied by Catholic Cathedral, Honolulu -

Commencing at East Corner of this place on Garden Street & joining Jones & Makee's dwelling house lot on South Corner & running South 36.° West 1 Chain 52 8/12 feet along garden Street to Stephen Reynolds' dwelling house lot: thence North 49° 45' West 2 Chains 9 11/12 feet along between this & Stephen Reynolds lot to angle - north corner of S. Reynolds' lot - thence South 38.° 30' West 15 1/12 feet along S.r Reynolds' to East Corner of the Paty lot (now occupied by Judge Lee) - thence North 50° West 2 Chains 41 2/12 feet along the Paty Place to Fort Street 8 Inches makai of makai West Corner of printing house in this place - thence North 41.° East 1 Chain 63 4/12 feet along Fort Street to West corner of Cha.s Brewers dwelling house lot - thence North 50.° 45' East 4 Chains 4 1/2 feet along makai side of Cha.s Brewers - Wright's & Jones & Makee's dwelling house lots to Garden Street, the place of commencement - taking in all surrounding walls, except by house in the Paty lot, and including an area of

952 1/2 Square Fathoms

(diagram on next page)



Claim No 40.

A certain piece of land in Honolulu called Kalani-kahua; by 132 feet long & 111 feet broad; designated by four stakes at the four corners: The particular survey is as follows:

"Said piece of land is 132 feet long & 111 broad. It is designated by 4 stakes at the 4 corners; the lines to be straight from corner to corner." Also "a portion of ground for a road from said site to the street; & said road shall be 33 feet wide, & at the front of the house towards the Sea".

The condition upon which this site was originally granted & upon which it is now confirmed, was & is that there be erected thereon a Church, to be administered by a Priest of the French Nation. There is annexed to this grant a right of way to the Street by means of a road 33 feet in width at the front of the house, towards the Sea; which road is delineated upon the diagram of actual Survey hereto annexed. But the express converse condition of this grant was, – that if ever the time should arrive, when the Ground ceases to be occupied for the

purposes of the Church, it was not to be sold, but to revert to the Hawaiian Government. Although this Concession was originally made by the King on the 23d day of July 1829 it does not appear that it has ever been used for the purposes intended to this day. It is neither accordant with the policy nor best civil interests of this Kingdom, that lands should pass into mortmain; or into the possession of corporate bodies; Civil or religious, but rather, that they should be devoted to practical uses, & be a medium of exchange & Commerce. No specific time is however, named in this grant, within which the lot should be built upon; & for this reason, although a period of eight Years non-user would seem in equity, to have reverted the Land: Yet this Board is disposed to fix a definitive time for the use prospective & accords to the Catholic Church Five Years more from the date of this Confirmation, within which to build upon said lot, & put it to the uses originally intended in the Kings grant within which period, if it be not so occupied, the Claimants will be deemed to have abandonned it, & it shall revert to the Minister of the Interior, for the use of the Hawaiian Government.

Boundaries upon resurvey by Theophilus Metcalf, at the order of this Board, Viz: —

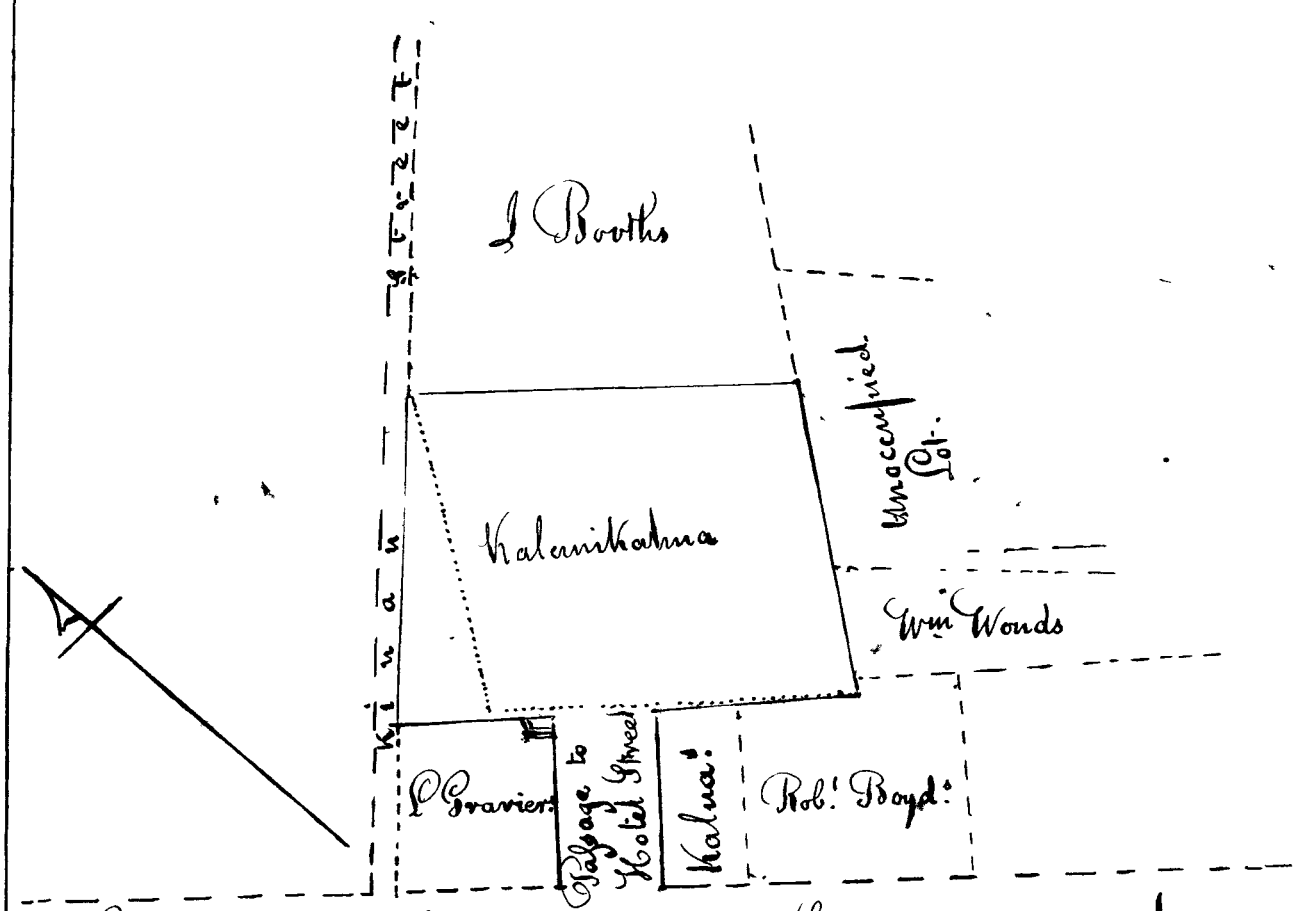
"Notes of Survey of Catholic Mission place in Kalanikahua, Honolulu—

Commencing at North Corner of this Place on Kinau Street (Booble alley) joining west corner of Joseph Booths place (the Burns place) & running South 42° 15' East 2 Chains along Makai side of J Booths place to an unoccupied lot at East Corner of this— Thence South 36° 45 West 1 Chain 44½ feet along unoccupied lot & Wm Wonds to Rob. Boyds place Thence North 45° 15' West 2 Chains 27 feet along Rob. Boyds— Kalua's passage to Hotel Street & Lewis Graviers place to Kinau Street— Thence North 51° 30' East 1 Chain 50 10/12 feet along Kinau Street to place of Commencement: taking in all surrounding walls, & including an area of

Fathoms 457 Feet 30.

Note— The passage to Hotel Street is 33 feet wide— the mauka

& West end is 53 3/12 feet from Kinau Street - the Makai
& West end is 57 1/12 feet from Kinau Street.



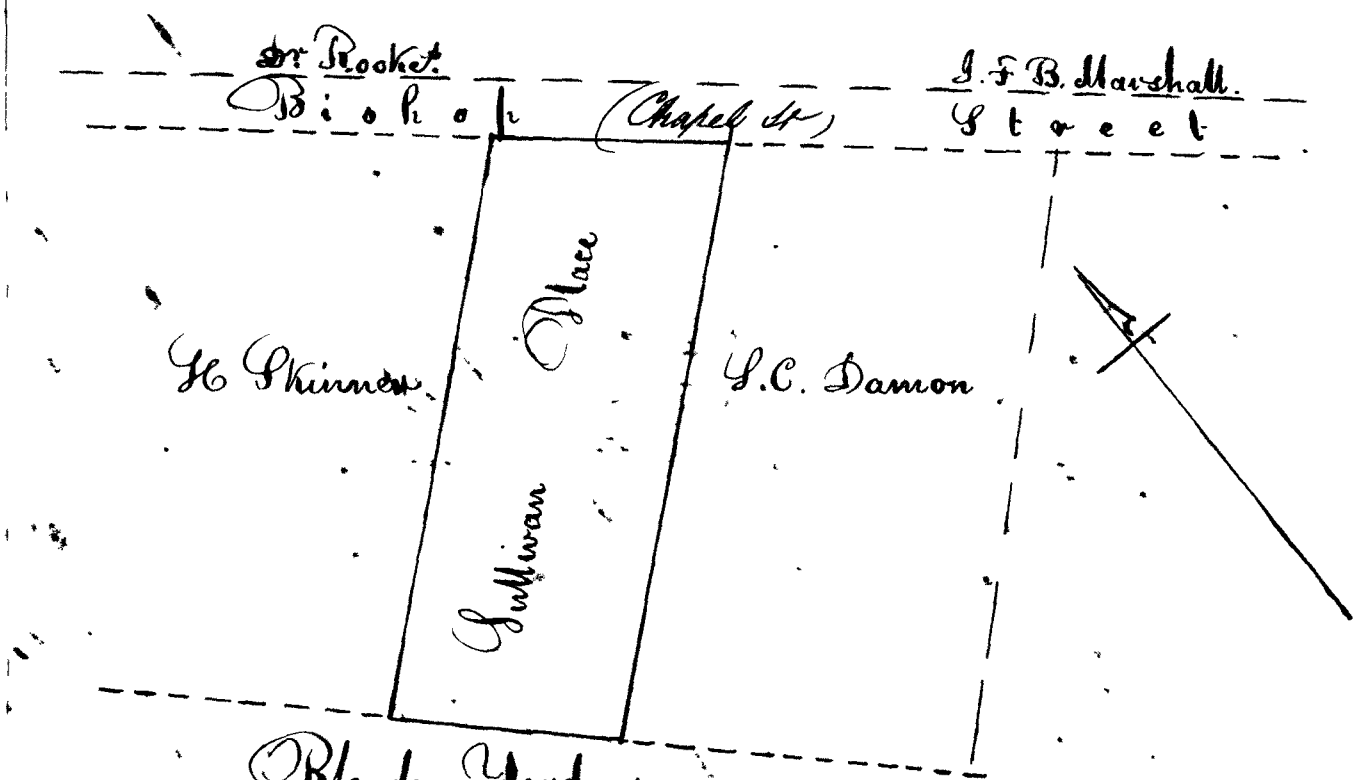
N.B. The above survey is as the walls now stand; but the dotted lines on diagram give the length, breadth & area according to deed.
Note - This lot ordered to be defined by the Board in accordance with the deed
See Page 399.
M.S. Sec'y.

Claim No 41.

"A certain other piece of land in the Town of Honolulu, Island of Oahu," bounded by the premises heretofore of Rev.d John Diell, in his life time, on the East by the premises of Henry Skinner; on the West by the Premises known as the Blond, on the South West. That is to say - from the Street to the Blond wall, is 200 feet. from Mr. Henry Skinners to the Rev.d John Diells on the end next to the Blond 177 feet; and on the end next to the Street 74 feet." This land is upon actual survey by Theophilus Metcalf Esq.r, thus demarked & bounded. Viz:—

"Notes of Survey of the Sullivan Place in Honolulu
Commencing at East corner of this lot on Bishop Street, joining North corner of the Rev.d

Mr Diells lot (Seamans Chaplain place) now occupied by S.C. Damon and running North 47°. 30 West 1 Chain 14 2/12 feet along Bishop Street to Henry Skinners dwelling house lot. Thence South 50°. west 3 Chains 7 1/2 feet along H Skinners lot to the Blonde Yard. Thence South 44°. 15' East 1 Chain 14 2/12 feet along the Blonde Yard to Seamans Chaplain Place. Thence North 50°. 30' East 3 Chains 12 1/2 feet along Seamans Chaplain Place to Bishop Street: place of Commencement. including an area of.
April 8th 1847. Fathoms 463 Feet 26.
(taking in all surrounding Walls.)



There are several Facts connected with this lot worthy of notice:
In the 1st place, it does not appear that Eugene Sullivan, who, on the 2d day of January 1841, granted it to the Right Rev.d Stephen Rouchouze, Bishop of Nicopolis, & his heirs & assigns for ever — had, himself, any title whatsoever; - or at most, a better title than the usage of the Country: as in the numerous cases already considered. His would only have entitled Sullivan to a Free-hold Estate, less than allodial & no more: & not to a Fee-simple: which he purports to have Conveyed. He could not convey a greater estate than he had. Of this defect, both Sullivan & his Grantee seem to have been at the time, aware; for by a seperate & subjoined clause to the deed, it was thought necessary that Sullivan should guarrantee the Title as against the Hawaiian Government particularly. Such a guarrantee made in so marked a manner, has the effect in law, to throw the Grantee upon his Guarrantor, in case of a legal failure of the title guarranteed: & thus makes Sullivan, &

no one else, responsible to Bishop Rouchouze, in case the grant were not confirmed. The Grantee accepted Sullivans security, & was at the time, satisfied with it; and cannot now set up its inadequacy.

In the next place, the Land does not appear to have been granted to the Catholic Church: but to the Rev.d Stephen Rouchouze personally, as his private property. This is, legally speaking, as well as considered in a common sense view, denoted by the words of the Instrument: "his heirs & asigns, to his & their use & behoof for ever." Nor does it appear that Bishop Rouchouze ever conveyed it in like formal manner to eleemosynary uses: which would have required a trustee of some sort. The words "Bishop of Nicopolis" are considered in law, merely descriptive, when so connected with his "heirs and asigns." But, it nevertheless appears from the following Instrument, that the Rev.d Stephen Rouchouze bequeathed all his Property, present & prospective, to Louis Desiree Maigret: who, as Catholic, apostolic Prefect, has apprized this Board, that he disclaims any private ownership in this Land: but considers it as intended for the use of the Catholic Church.

(Copy of Will of Bishop Rouchouze presented to this Board for file on 22.d of February 1847. by Rev.d L.D. Maigret.) "Je Soussigne Etienne Rouchouze, dit Evêque de Nicopolis et Vicaire Apostolique de l'Oceanie orientale, donne tous mes biens présens et avenir a Monsieur Louis Desiré Maigret. Fait a Gambier le 20.th November 1838.

E Rouchouze Ev: de Nicopolis et vic. apost."

This, in equity, will justify this Board in departing from the strict words of Sullivans grant, and decree it to eleemosynary uses. There can be no rational objection urged against the trusteeship of this & the other lands, in the way now newly provided by law for all Religious designated bodies: when the Government overlooks so many just & radical reasons for rejecting this & the other claim, & when such trusteeship is purely intended for the sake of political & civil System.

Honolulu
10.th May 1847

William Richards
J. G. Kuaeiwa
Boane Ii
D. Kaauwai
John Ricord

See account of Costs in these several Claims
Nos 39. 40 & 41 included in that of No 43. Page 470.
The whole of these Claims having been delivered under
date of —— 19 January 1849.

Claim No 42. L. D. Maigret

This claim consists of Land in Manoa Valley, in the Island of Oahu, upon which there are Kalo patches Cultivated by Hired Tenants, according to the usages of the Country, defined by the Law of 7th of June 1839. It was conferred upon Richard Charlton for the term of 28 Years from the 7th of March 1827 by Boki, agent of the Government, who was Konohiki of the Land; for the Consideration of $500. The duties of the Konohiki or Landlord go with it to the Transferee, & his Rights are no greater.
The term of this Concession expires in Eight Years from the 7th of March 1847. or on the 7th of March 1855.

The King by written act dated 18th April 1840, distinctly admitted the validity of Charltons rights in this Concession: & behind the Royal acknowledgement this Board is not disposed to go. Suffice it, that on the 29th day of October 1846. Richard Charlton formally transferred by deed, all his Rights in this Land to the Claimant: and these are therefore confirmed to him.

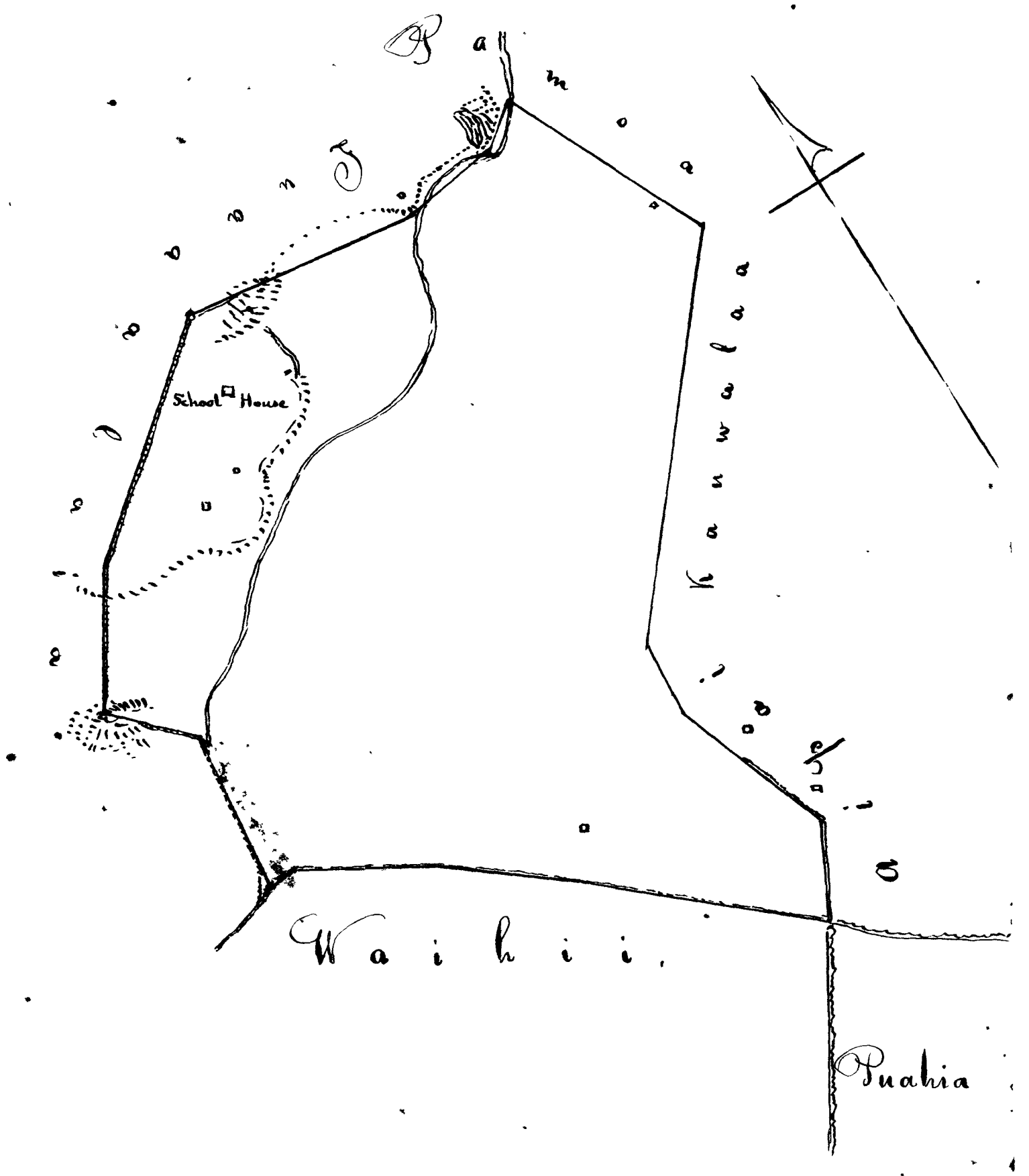
Boundaries as described by Theophilus Metcalf Esq.r on 20th April 1847.

"Notes of Survey of Wailele in Manoa Valley—
Commencing at North West Corner of this land at corner of Stone Wall above & mauka of School house and running South 49° West 8 Chains 29 8/12 feet along stone wall, the boundary line between this land & Kuaalaia to large rock in wall marked + on side of it by pig-pen— Thence South 29° 30' West 4 Chains 37 feet across hollow & to long rock marked + on top of stony knowl— thence South 46° East 3 chains along Kanewai to corner of Stone wall & thence South 8° 41' West 5 Chains 23 feet along Kanewai to stone on

East west wall marked +, 12 feet below junction of walls - thence North 81.° 30' East 55 3/12 feet along wall to angle - thence South 61.° East 4 chains 59 1/2 feet along Stone wall, the boundary line between this & land called Waihii to slight angle in wall - thence South 54.° East 4 Chains 10 7/12 feet to angle in wall - thence South 51.° East 8 Chains 6 7/12 along Waihii to junction with wide stone wall at South East Corner of this land - thence North 24.° 41' East 3 Chains 10 feet along wide wall & land called Aipai to angle - thence North 20.° West 5 Chains 37 7/12 feet along Aipai to pile stones by old wall & water run - thence North 2.° East 2 Chains 23 feet to large rock marked + by path water run & Kalo patch - thence North 35.° East 13 chains 20 feet along land called Kauwalae to pile of stones on the hill at North East Corner of this land - Thence North 35.° West 7 Chains 18 1/2 feet along land called Pamoa to long stone in water run - the extreme mauka point of this Land - thence South 50.° West 1 Ch: 50 2/12 feet along water run beside pali to large rock marked + below high rocky knowl (puu) - thence South 82.° 45' West 3 Chains 6 7/12 feet along near water run to rock + on side of it above water run by rocky point in pali - thence North 83.° 30' West 7 chains 46 feet along pali to rocky puu (knowl) & up it & to place of Commencement - including an area of

Acres 36 1/10

See diagram in next page.



Board of Commissioners for Land Claims
Adjudication of Claim № 42 - L. D. Maigret Dr

To Incidental expences of advertising Claimant & the public Notice of Commissioners to quiet Land titles to all; & of Room hire while engaged in the investigation of their

150

Claims –

	$		
To action (motion & adjournment of this claim on 23d of June 1846.		1	
To Citation for attendance on 1st July		1	
To action of Commissioners in the matter of this claim on 1st July			50
To draft of depositions reduced in Relation to this claim (fol 6		1	
To Mr Metcalfs Bill of Survey of the land		3	
To engrossing Copy of survey (fol: 5		7	
Report of Commissioners this day rendered on the above claim		2	50
		5	
	$	21	
Less		1	50
		19	50

Honolulu
10th May 1847.

William Richards
S.G. Ranelson
John Ricord
L. Kaauwai
Commissioners

See Award in C. No 43
Page 470.

Catholic Mission Claim No 43 postponed

Claim No 44 J Rhodes & Co postponed

Claim No 45. John P. Vonpfister postponed.

Claim N° 46. Joseph Maughan.

This Claimant requests confirmation, in the name and for the use of his Wife, Cruz; a native woman: daughter of Francis Paulo de Marini, & his Children, born of said Cruz.

It appears from the testimony, that in the Fall of 1833 Captain Maughan requested Stephen Reynolds Esq.r to superintend, & cause a house to be built for him. Mr. Reynolds procured the stone for a foundation, & got Kanemaka to make the adobies for the house in the Summer of 1834. After getting the adobies on the spot, Marini, Maughans father in law, went with Mr. Reynolds & laid out the ground for a building & a small Yard around it, upon which Premises, Mr. Reynolds built the house accordingly.

Mr. Reynolds had the precaution to speak to his Majesty about building the house for Captain Maughan, who told him to go on & build it. During the frequent absence of Captain Maughan upon whaling voyages, he has always left Mr. Reynolds as his agent; who has supplied his family as they wanted; & has never heard of any opposition or interference of any one with the Land.

This Claim comes under the first Rule, & We accordingly confirm it to Cruz Maughan, & the heirs of her body descended of Captain Joseph Maughan, as a Freehold Estate, less than allodial, to be commuted to a fee simple, upon payment of one third the unimproved value of the land, to be ascertained on appraisement, by order of the Minister of the Interior.

Boundaries as described by Mr. Metcalf:—

"Notes of Survey of Joseph Maughans dwelling house lot in Honolulu.—

Commencing at East corner of this lot joining Maunakea Street & alley dividing this from Chas. W. Vincents dwelling house lot; & running North 48° West 3/4 chain along alley to North Corner of this lot joining Kalua's premises. Thence South 44° West 1 chain 28 1/2 feet along Kalua's & Moo.s lots to right angle in wall.—

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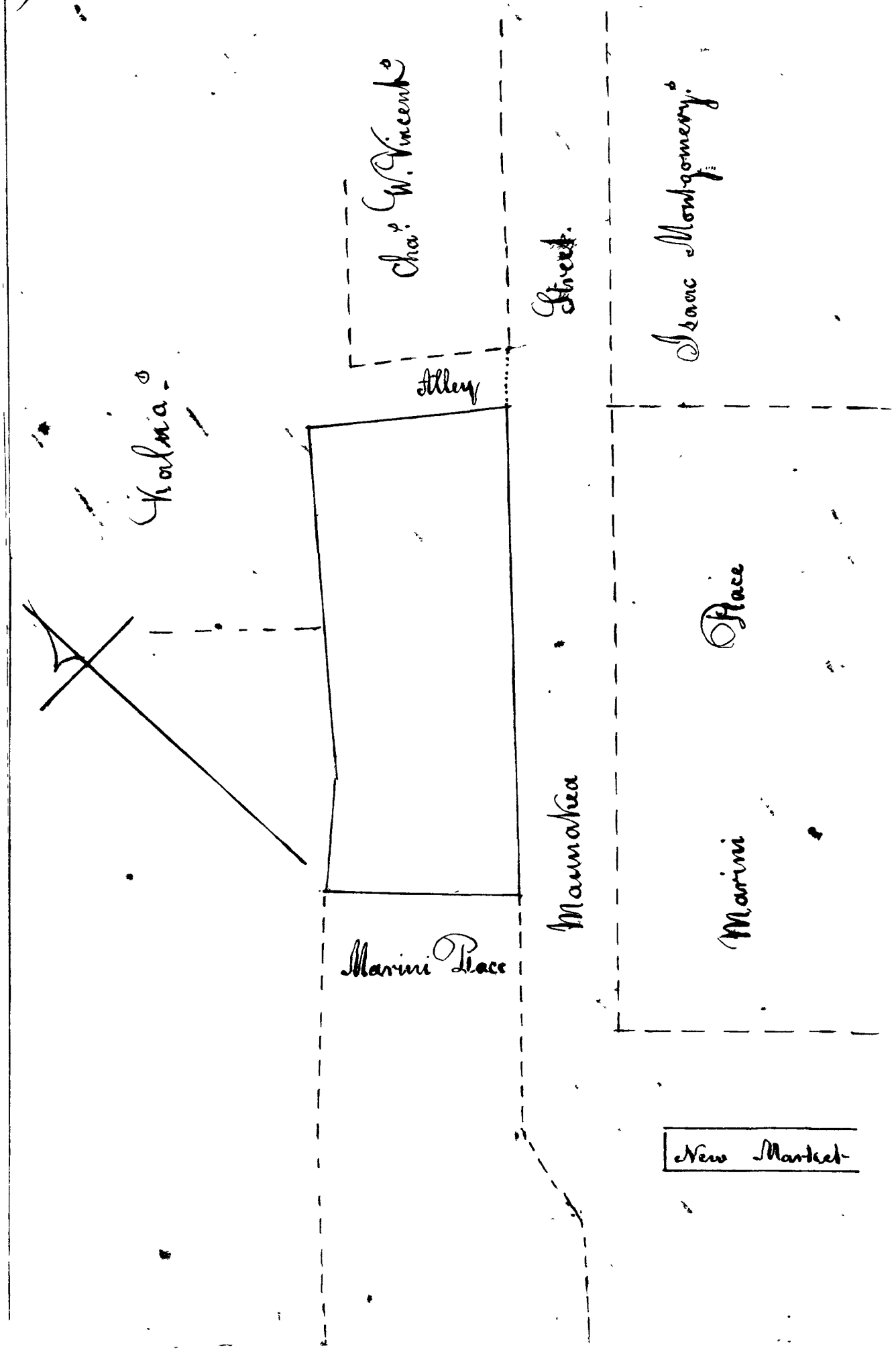
Thence South 51.° 30' West 25 8/12 feet along Moo.s lot to West corner of this lot. Thence South 40.° 30' East 48 2/12 feet along between this & another part of the Marini premises to Maunakea Street. Thence North 46.° East 1 chain 60 8/12 feet along Maunakea Street to place of Commencement; taking in all surrounding Walls, & including an area of

April 11 1847. Fathoms 165 Feet 21.



Board of Commissioners for Land Claims.
Adjudication of Claim № 46 Joseph Maughan Dr.

To incidental expences of advertising claimants the Public Notice of Commissioners to quiet Land titles to all; & of Room hire while engaged in the investiga-tion of their claims	1	
To action, motion & adjournment of Commission-ers in the matter of this Claim on 6th of May 1846	1	
To draft of depositions in Relation to this Claim reduced Fol: 2	1	
To Citation for attendance on 16th of May		50
To letter addressed by the Board to his Majesty in relation to this claim	1	
To letter addressed to the Premier in relation to the same	1	
To action of the Board in the matter of this claim on 12th May	1	
To draft Testimony reduced & engrossed in relation to this claim on 12th May Fol: 2	1	50
To Surveyors Bill 85 Engrossing Copy of survey Fol: 51	6	
Report of Commissioners this day rendered on the above claim	5	
$	19	

Honolulu
10th May 1847.

Cost. $
less 5.50.
Am. 13.50

William Richards
J. G. Rarestroa
Z. Kaauwai
John Ricord

Helu 47. Kaunuohua.

Ua hoole o Kaunuohua i ke kuleana o Poha, a na koi mai ia makou e hooku nona ia wahi, no ka mea oia ka hoolina o Kalauwalu. I ka hookolokolo ana i ka olelo no Helu 36-Poha, na hoakakaia ke ano o keia kuleana, a like me kela olelo, ke hoohalo nei makou i keia, na nele o Kaunuohua.

A penei oia e uku mai ai no ka hoo

kolokolo ana.

No ka rumi a me ke pai ana i ka olelo ma ka Nu Pepa	1	"
No ka hana ana i ka la 23 o June 1846	1	"
No ke kope ana i ka olelo a Keoni Ana ka hoike, 200 huaolelo	1	"
No ka hana ana i ka la 30 o June "	1	"
No ke kope ana i ka olelo a Kekuiahonui a me Kekuanaoa 300 huaolelo	1	50
Pau loa	$5	50

Honolulu
10 may 1847

(Pepeke)

William Richards
John Ricord
Lt. Ka nekoa.
Z. Kaauwai
Lorenzo

Helu 48.— Kahanaumaikai ua hoopaneia

Helu 49.— Keohokalole.

He koi keia i kue i ko Napahi lana o Kekualaula, a na koi mai o Keohokalole nona i ka hookolokolo ana na maopopo o Keohoka= lole ka hoolina o Aikanaka, a na maopopo ka haawi ana o Liliha i kela wahi ia Aika= naka mamua i ka makahiki 1831 i wa= hi e kuu ai ka hale paipu a me ka hale ope= ope a me ka hale aipuupuu no ke alii, no ka mea o Aikanaka ka Punoku ia manawa. Aole komo keia iloko o ka Helu 1 a ka Poe Ahaolelo i hoohalo ai, no ka mea, aole e noho ana o Ke= hokalole ma malaila i ka makahiki 1839 i ka wa i kauiaii ke Kanawai a i na hiki i ke= la kanaka keia kanaka i keia wa ke kii aku i na wahi a pau kahi a lakou i noho ai, a o ke lakou makua paha, ina pela hanauele ino loa. Ua maopopo no hoi, na haawiia ke= ia wahi ia Aikanaka i mea e pono ai ke

alii, aole i mea e puno ai kona kino iho, a me kona hoolilina. Nolaila, na hoole makou, aole o Keohokalole kuleana. No ke Aupuni wale no ia wahi.

Euku mai nae o Keohokalole.

No ka hana ana i ka la 23	1	"
No ke kakau ana i na olelo a na hoike 800 huaolelo	4	"
No ka hemi ana me ke pai ana	1	"
	6	00

Pau loa

Honolulu
10 May 1847

William Richards
John Ricord
J. Kanehoa
Z. Kauwai
Joseph Ii

Helu 50.— Kalaiheana.

He mea maopopo ke kuleana io o Kalaiheana ma kela wahi ana e koi nei. aka, he kuleana kahiko loa i pau wale mamua o ka make ana o Kamehameha I. I ka wa e noho ana o Kamehameha ma Oahu nei, ia manawa wale no ka noho ana o Kalaiheana ma ia wahi, o lana puuno me Boane Ii, a i ka hoi ana o Kamehameha, pau. A i ka Lukini nei i ka makahiki 1816 paha, nui ka puu e ae i hoonohoia malaila, a ina he kuleana no keia kahi kanaka, o lakou ka mea kuleana, aole o Kalaiheana. A via koi ka olelo a makou e hoohoio nei, na nele o Kalaiheana.

Eukea mai nae oia no ka hookolokolo ana.

No ka hemi a me ke pai ana i ka olelo ma ka Nu Pepa	1	"
No ka palapala kii aku ia ia	"	50
No ka hana ana i ka la 7 o Julai	1	"
No ka hana ana i ka 15 o Julai	1	"
No ka hana ana i ka la 21 o Julai	1	"
No ka hana hou ana Augate 18	1	"
No ke kope ana i ka olelo a na hoike	1	50

No ka hoohulu ana i ka olelo — 3 "

Pau loa — 12 "

10 May 1847

William Richards
John Ricord
J. Kaae loa
L. Kaauwai
Solomona

(Rejected)

Claim No 51. Henry Farmer. postponed

Claim No 52. John Brosseau postponed.

Helu 53.— Kaailauhala.

He kuleana i hoopaapaa nuiia keia. Ua koi mai oia e hooko makou nona kahi ana e noho nei a me kahi o Punahele. Aka, i ka hookolokolo ana, ua ahaka ua noho no lana elua ma ko lana waha mai ka wa ia Piholiho mai, a nolaila he kuleana ko lana elua. Ua maopopo no koi i na hoike, na hoohulu ke Alii i ka olelo pela mahope mai o ka make ana o Kinau; a na paa koi ia olelo, no ka mea, na pono. Aka, he kuleana oiaio no ko Kaailauhala ma kona pa iho: eia koi na palena.

E hoomaka ana ma ka lihi makai o ka Alanui Kula Alii, ma ke kihi Hikina Akau koi o ka pahale o Kauhola, a moe aku ka aoao mua i ka N. 42° K. a holo aku 7 kapuai 4 iniha a hiki i ke kihi Hikina Kema o ka pahale o Napeahe,— huli i ka Ke. 48° K. a holo aku 1 kaulaha o 17 kapuai 4 iniha a hiki i ke kihi Komohana Kema o ko Napeahe pahale,— huli i ka N. 41° 30' K. a holo i 61 kapuai 4 iniha, a hiki i ke kihi Ko-

mohana Akau no o ka pahale no o Napeke,- huli i ka He 49°
K. 41 kapuai 4 iniha, a hiki i kahi kekee o ka pa o John
Meek,- huli i ka He. 34° 30' Ki. a holo i 32 kapuai 8 iniha
a hiki hou i kekahi wahi kekee o ka pa o John Meek,- huli
i ka He. 56° 30' K. a holo 29 kapuai 4 iniha, a hiki i ke kihi
Hikina Akau o ka pahale o Keaka,- huli i ka He. 34° Ki. a ho=
lo 1 kaulahao 5 kapuai 4 iniha, a hiki i ke kihi Hikina
Hema o ka pahale o Keaka,- huli i ka K. 46° 30' Ki. a holo i
1 kaulahao 29 kapuai 4 iniha, a hiki i ke kihi Hikina
Akau o ka Hale Lepo o Koa,- huli i ka K. 48° K. a holo 3
kapuai 4 iniha a hiki i ke kihi Komohana Akau o
ka pahale o Kauhola,- alaila, huli i kahi i hoomakaí
K. 34° Ki. a holo i 1 kaulahao 6 kapuai. Eia hoi ka
ili maloko, he 29 roda.

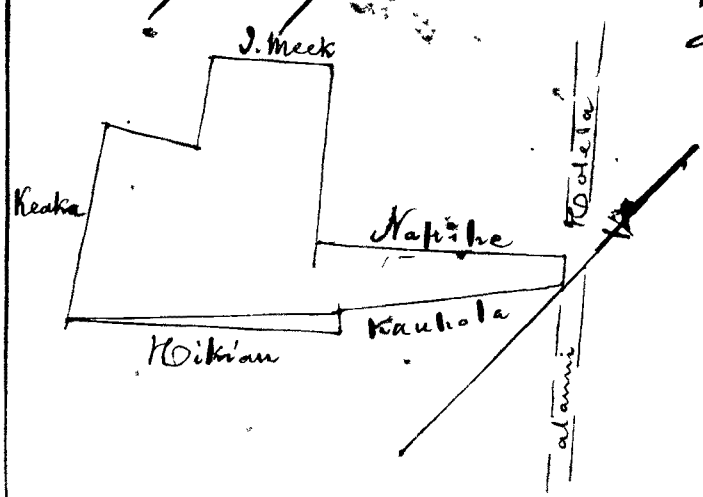
Oia pa ka makou e hooko nei no Kaailauhala,
mamuli o ka Helu 1 o ka olelo a ka Pe Ahaelelo i hoo=
holo ai he kuleana nui hoi malalo iho o ke ano alodio.
Soaa nae ia ia ka palapala Sila nui e alodio ai, ke ukeu
mai oia i ko ke Aupuni hapakolu. A eia hoi kana e
uku ai no ka hookolokolo ana.

No ke pai ana i ka olelo iloko o ka
Nu Pepa a no ka rumi hoi
No ka hana ana i ka la 11 o Augate
No ke kope ana i ka olelo a na hoike
ia la 400 kuadolo
No ke ana ana i ka pa
No ka olelo i hoohoiia

	1	"
	1	"
	2	"
	2	"
	5	"
$	12	"

10 May 1847.

William Richards
John Ricord
G. Rhodes
S. Kaauwai
Soane Li



Claim No 604. Henry Sea Esquire: — Public Administrator

By a special vote of the Commission to quiet land titles, the regular order of business was suspended for the purpose of giving immediate attention to this claim; for reasons presented to the Board.

The Claimant is Henry Sea Esquire, as administrator of the estate of Richard Ford M.D. an intestate foreigner, deceased:— said Sea being Marshal of the Hawaiian Islands.

It appeared in evidence taken by this Board on the 14th of July, 1847. that the present Governor of Oahu M. Kekuanaoa, previous to his appointment as governor, gave to John Jason (describing himself in his deed to Montgomery a native of France) the liberty to live upon and occupy the Premises in question, on condition of Jasons rendering certain services to him as a blacksmith, so long as he should live there: These conditions were complied with; and Jason occupied the site until August 1844; when he sold it to Isaac Montgomery: the deed of which sale is before the Board.

In November of the same year Montgomery gave a quit-claim of his Right to Jacob Stupplebeen and endorsed a certificate of the same on the back of the deed given by Jason to him.

Stupplebeen renounced all further claim to the Premises, before this Board on the 14th of July as above named; stating, under oath, that he had delivered them over to Richard Ford, in exchange for certain other Premises received by him from Ford in Waikiki.

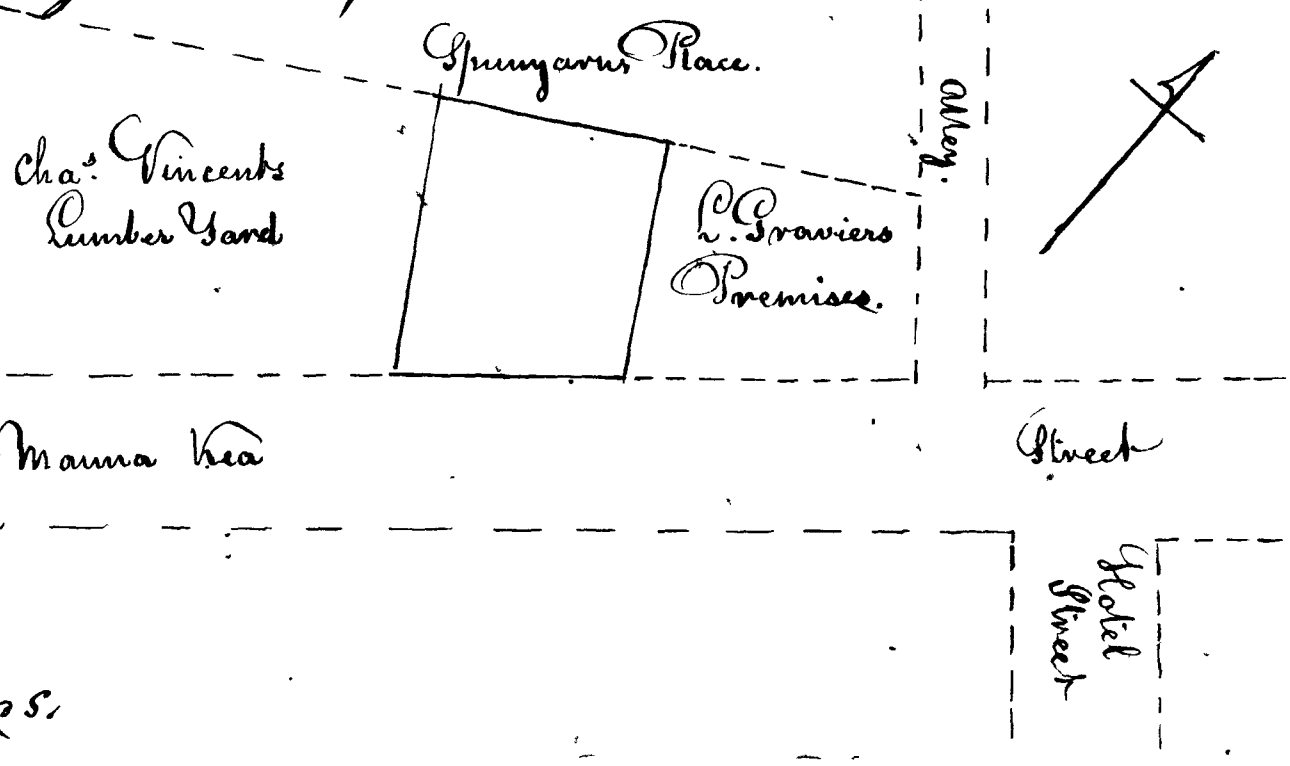
It is clear therefore, that all the right which Jason could transfer, was in Ford, at the time of his death:- the only doubt which remains, is, in relation to Jasons title, which, in accordance with the only testimony exhibited, was originally

conditional:- but the Governor stated, that he consid-ered it now "entirely gone from him."

This claim, therefore, comes under No 1 of the Rules of the Board, and We accordingly award to Henry Rea Esquire, as administrator on the Estate of the late Richard Ford M.D. a Freehold title, less than allodial, to the Lot as described by the following boundaries & ascertained by Mr. Metcalf in his Survey taken by order of the Board:— Jos, and in behalf of the heirs unknown, nearest of kin to Richard Ford, deceased, and subject to prior demands.

"Notes of Survey of the "Dr Fords Place" in Kikihale Honolulu"

Commencing at South corner of this lot on N. west side of Mauna Kea Street & joining Charles Vincents lumber Yard on ~~Waikiki~~ side of this, and running North 49° 15' East 38 3/12 feet along Mauna Kea Steet to House lot owned by Lewis Graviers: thence North 32° 15' West 43 feet along L. Graviers lot to Spunyarns (Paniani's) dwelling house lot: thence South 61° 45' West 13 1/12 feet along Spunyarns place to slight angle in wall: thence South 57° West 27 4/12 feet along Spunyarns to North Corner of Chas Vincents lumber Yard: thence South 35° 30' East 49 1/2 feet along Chas Vincents lumber Yard to place of Commencement; including an area of Fathoms 51 Feet 4."



½ x 4 P S.

& Any Hawaiian Subject, purchasing the above Estate of the Administrator, will be entitled to a Patent in fee-simple for the same, on paying ¼ the appraised unimproved value thereof; and any Alien, without Commutation, will be entitled to a tenancy for life; or to a grant for Thirty Years, free of Rent.

Board of Commissioners for Land Claims.
Adjudication of Claim № 604 Henry Sea Esqr. &c.

To incidental expences of advertising Claimant & the Public Notice of Commissioners to quiet Land Titles to all, and of Room hire while Engaged in the investigation of their claims		1	
To action, Motion & adjournment of Commissioners in the matter of this claim on the 14th of July 1847.		1	
To draft of depositions reduced in relation to this Claim	Fol: 6	3	
To draft testimony reduced & Engrossed in relation to this Claim on 14th July 1847	Fol 4	3	
To Surveyors Bill 5% engrossing Survey	Fol: 3	6	50
Report of Commissioners this day Rendered on the above Claim July 30th 1847	$1.50	5	
To Engrossed Copy of the same	Fol: 6	3	
Stamps		1	
	$	23	50

Hale Kauwila
Honolulu
30th July 1847.

William Richards
L L Smith
D. Kaunuai
G Kamanu
Joane Li

Claim № 281. James Wood
assigned to Jules Dudoit.

The present claim is of the simplest description, and comes under the First Rule established for the government of this Board.

It appears by the testimony taken on the 6th October 1847, that this land was given to the Claimant James Wood in 1838 by the King; and that he built a house upon it; and Continued to reside upon it until the present time. This gift is well attested, both by witnesses, and by the acknowledgement of his Majesty to the Board.

Of the nature of the title intended, the Claimants own admission before this Board, is sufficient evidence, stating— "The land was a free gift to him from the King, as long as he lived;— Characteristic of all former grants of the Kind, in every instance when not otherwise worded."

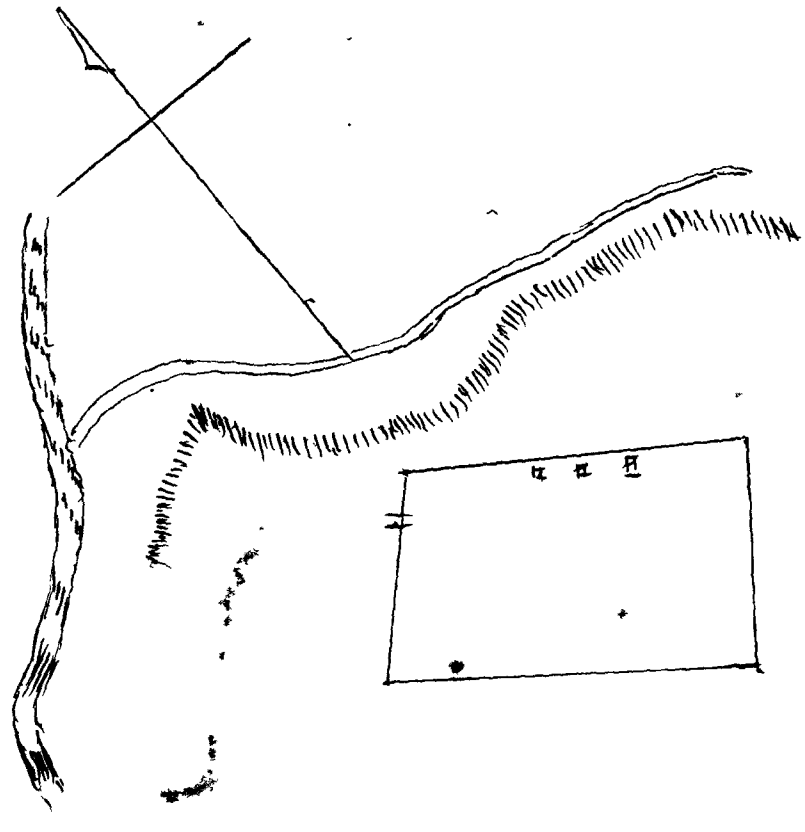
There exist no private rights of occupancy in this plot: the boundaries of which have been ascertained and demarked, and are annexed.

By a deed of sale of this place from James Wood to Jules Dudoit, and dated 22d Februar 1848, duly acknowledged and registered, in which is a Clause inserted— "The right, title, and interest, in and to which piece of land, as hereby Conveyed, or intended to be conveyed, to be subject to the final award of the Land Commission;"— We accordingly Confirm the said land to Jules Dudoit, in a Freehold Title less than allodial:— subject at his discretion to Commutation as the laws prescribes, or for a grant of Thirty Years.

"Notes of Survey of James Woods lot in Wahapaakai Nuuanu Valley" by Theophilus Metcalf.

"Commencing at Mauka north Corner of this land joining land Claimed by George Wood and

Running South 43° West. 2 Ch. 14 1/2 Ft. along stone wall to makai, west Corner of this land – Thence South 53° 45' East. 3 Ch. 59 5/12 Ft. along wall to South Corner of this lot. Thence North 35° 30' East. 2 Chains 29 8/12 Ft. along wall to East Corner of this lot – Thence North 60° 45' West 3 Ch. 39 7/12 Ft. along wall to place of Commencement – including an area of
Feb'y 28 – 1848. 5 Fathoms 1635. Feet 10.



Board of Land Commissioners
Adjudication of Claim N° 281 Jules Ducloit — D.°

To incidental expences of advertising Claimants and of house hire &c &c		1	
action of Commissioners in relation to this claim on 6 October 1847.		1	
Citation for attendance			50
draft deposition reduced in relating to this Claim		1	
" testimony " & engrossed	$2	1	50
Bill of Survey by Mr Metcalf		5	
Engroseing Copy of Survey	$2	1	
Report of Commissioners this day rendered on 1st March 1848.		5	
		16	

William L. Lee
~~J H Smith~~
Lorenzo Lyons
L. Konanui
C. V. Vannan

Hale Kauwila
Honolulu
1 March 1848.

Claim N° 44 Godfrey Rhodes and John D. Vonsiesler.

This claim is based upon a Sheriff's deed under date of September 30th 1845, by which R. Boyd, sheriff of Oahu, conveys to the Claimants for the sum of $295, all the right, title and interest of John Bernard deceased, in and to certain land & premises, as described in a certain Lease from I Kaalilio to the said John Bernard under date of September 8th 1842.

Now, what is the title of Claimants? clearly their title is precisely the same as that of Bernard under the lease from Kaalilio of September 8th 1842. This no less and no more is their right. Whatever Bernard

derived from his Lessor Haalilio, in quantity, duration or privilege, was sold by the Sheriff on the 30th of September 1845; and purchased by the Claimants for the sum of $275. This the Board cannot enlarge or diminish. The Lease from Haalilio, which must be our main guide in determining the Title of the Claimants is as follows:-

"I, I. Haalilio hereby lease a Certain piece of ground at Hanalei Kauai, bounded as follows:

"On the West side of the Hanalei River, beginning at the aqueduct Called Hukiko, the Eastern boundary of Mr. Charles Titcombes plantation, and extending up the Hanalei River, taking all the bottom Land, exclusive of taro patches to the Mokuna between Kiloa and Chiaiole, which Comprises about 90 acres.

On the East side of the River, beginning at the Alapii of Kuakea, and extending up the Hanalei River to the Mokuna between Kiloa & Chiaiole, taking all the bottom Land, which Comprises about 160 acres, making in all, on both sides of the River about 250 acres of bottom Land."

It is furthermore agreed that I. Bernard be allowed to run a fence in a straight line on the top of the hills above the Ravines for to secure his Land from depredations, - to I. Bernard, to be used and employed by him or his heirs and assigns, for fifty Years from this date, upon these Conditions:- he is not to manufacture or sell any ardent spirits upon the said Land; and he is to pay each & every Year to I. Haalilio, or his heirs, & assigns, the sum of Two hundred & fifty dollars, as full Rent for said Land; and when this Lease is fully expired he is to restore the said Land, together with all the buildings, enclosures and improvements thereon, to I. Haalilio, or his Heirs, or assigns, the owners of the Land. In Testimony of our mutual assent we bind ourselves, and our heirs or assigns to the fulfilment of the same, and subscribe our names this

8th day of September 1842.
Honolulu Oahu Hawaiian Is.
Signed in Presence of
G. P. Judd
J. Bernard
For T. Haalilio
Ioane Ii

We hereby give our approbation of the above lease of land - Kamehameha IV Kapuaiwa.
— Under the above lease, and the deed given on the Sheriffs sale, it is Contended by the Claimants, that they are entitled to the upland, intervening between the "bottom Land," and the "fence run in a straight line on the top of the hill above the Ravines, for to secure his (Bernards) Land from depredations." The Board after a careful examination of the Lease to Bernard and the Sheriffs deed, and the Evidence offered, are clearly of opinion, that the Claimants Title or Leasehold is Confined to the Bottom Land, and Cannot include the uplands.

The Board do therefore award to the Claimants, Godfrey Rhodes & John A Wonpfister all the bottom land exclusive of taro patches named and described in the lease from T. Haalilio to J. Bernard, under date of September 8th 1842. as follows: "On the West side of the Hanalei River, beginning at the Aqueduct Called Hukiko, the Eastern boundary of Mr Ch.s Titcomb's plantation, and extending up the Hanalei River, taking all the bottom land exclusive of Taro patches to the Mokuna between Kiloa and Chiaiole which Comprises about 90 acres: On the East side of the River beginning at the Alapii of Kuakea, and extending up the Hanalei River to the Mokuna between Kiloa and Chiaiole, taking all the bottom land, which Comprises about 160 acres: making in all, on both sides of the River about 250 acres of Bottom Land:" —

To have and to hold - their Heirs and assigns for the unexpired term of Fifty Years from the 8th day of September 1842, according to the Conditions named in the aforesaid Lease from T. Haalilio to J. Bernard under date of September 8th 1842.

Board of Commissioners for quieting Land Titles.
Adjudication of Claim № 44, Godfrey Rhodes
and John R. Vonpfisten Dr.

To incidental expences of advertising Claimants & the Public notice of Commissioners to quiet Land titles to all; and of Room hire while Engaged in the investigation of their Claims		1	
To action motion and adjournment of their Claims on 1st July 1846		1	
Draft deposition reduced in relation to their Claim	$ 7	3	50
Citation & Subpœna issued for 8th July		1	
Draft Testimony reduced and Engrossed in relation to their Claim on 8th July	$ 21	10	50
do do 14 "	$ 3	2	25
Report of Commissioners this day rendered on the above Claim		5	
		24	25

Honolulu
Nate Kaeiwila
3rd May 1848

William L. Lee
P. Hsmith
Laanedi
C. Kanaina
L. Kaaumoa

Claim No 45. John R. Vonpfister

This Case is clear and simple: it is founded upon a lease from his Majesty Kamehameha III of the Premises claimed, to John Ramsay Vonpfister, the Claimant, for the Term of Twenty Five Years from the 15th day of May 1841, upon the terms and Conditions named in said Lease, which reads as follows: ——

"Hoolimalima Aina.

He hoolimalima aku nei Kamehameha III a Kekahu aina aina, ma Lahaina Maui. Ia ka palena o ia aina Paeohi, ua pili i Ka pa o Kaauwai, penei Ka waihoana ma Ke alanui, e hoomaka ai a holo inha i Ka hikina aku i 27 iwilei. alaila huli i Ke Komohana aku he kiina Ku pono, a holo i 18 iwilei, alaila huli i Ke komohana hema he kiina Ku pono a holo i 27 iwilei a hiki i Ke alanui alaila huli hou a holo ma Ka pa alanui i 18 iwilei i Ke hiki i olelo mua ae, ia John Ramsay Von Pfister, i wahi e noho ai ia a me Kona hooilina a me Kona hope paha me Ka Malu no na makahiki he iwakalua kuma lima, mai ka la aku o Ke Kakau ana o Keia palapala, aole nae ia e puhi lama Aole hoi e kuai i Ka Lama ma ua aina la a e aku mai ia Kamehameha III Kana Kolu kala a i Kona hooilina, a me Kona hope paha, no Kela makahiki Keia makahiki ma Ka la no Kona noho ana ma Ka aina; a pau na makahiki i olelo ia maluna, alaila e hoi hoi mai i ua aina la a me na hale maluna, a me Ka pahale a me na Mea e pau e pili ana ma Ka aina, ia Kamehameha III a i Kona hooilina a me Kona hope paha Ka mea nona Ka aina.

A no Ka ae like ana o makou i Keia mau olelo Ke hoopa a nei makou ia makou iho, a me Ko makou mau hooilina, a me Ko makou mau hope paha, i Ka hookopono i na olelo a pau maluna o Ke Kakau nei i Kou makou mau inoa malalo iho, i Keia la 15 o Mei i Ka makahiki 1841. "

Kamehameha III
Ke Kauluohi
John R. Vonpfister.

Poe ike i ka makaikai o Ke Kakau ana
I Kamaka. Aikake Kabakala. Iona Kahana.

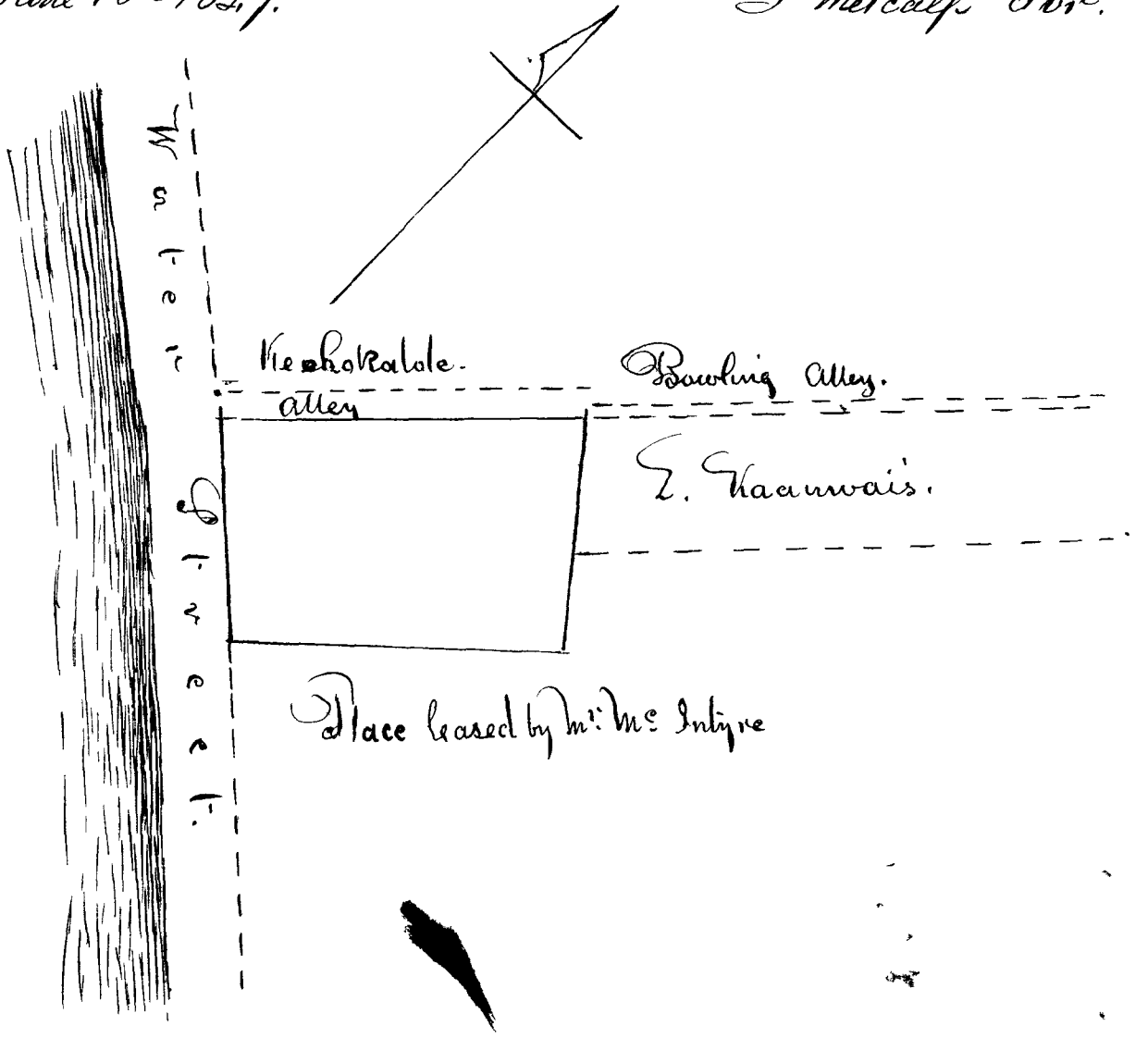
168

This Board do therefore award to the Caimant a Leasehold Estate to this Land as described in the annexed Survey, for the unexpired Term of 25 Years from the 15th day of May 1841, upon the Conditions expressed in the above Lease.

" Commencing at North Corner of this Lot, joining Lot owned by L. Kaauwai and alley on North side of this and running South 48° West 17 1/2 Ft. to West Corner of Cook house on this Lot. Thence South 43° 45' West. 1 Ch. 8 1/2 Ft. along alley to Water Street, the west Corner of this Lot. Thence South 49° 30' E. 55 3/4 Ft. along Water Street. (bordering on Sea) to South Corner of this Lot. Thence North 46° E. 1 Ch. 18 2/12 Ft. along Lot leased by Mr. Intyre to East Corner of this Lot. Thence North 40° 15' W 57 11/12 Ft. along Mr. Intyres leased and L. Kaauwai's Lot to Place of Commencement including an area of

Fathoms 138. Feet 28

June 18th 1847. J Metcalf Surv.



Board of Land Commission
Adjudication of Claim № 45. John R. Von Pfister — 1st

To Incidental Expences of advertising Claimants the Public Notice of Commissioners to quiet Land titles to all; and of Room hire while engaged in the Investigation of their Claims		1	
To action &c of Commissioners in the matter of his Claim on 1st July 1846		1	
draft deposition reduced in relation to his Claim	Fol.	2	
Citation			50
draft testimony reduced & engrossed &c	Fol		75
" " " " on 4th July	Fol		75
Mr Metcalfs bill of Survey		7	
Engrossing survey	Fols	1	
Report of Commissioners this day rendered		5	
Honolulu Hale Kauwila 3 May 1848.		19	
W. L. Lee J. H. Smith Leonardi N. Hanaru L. Kaauwai	To expences of transfer & registering in Cl. 145 Fol. 5 —	2	50
	P.R.V. Cl 6 & for appraisl in Cl 2 See P. 10 Transaction B. 122 Acc B.	21	50

Claim № 51.
Henry, Robert, Hannah and Nancy Farmer

The Claimants in this Case predicate their Claim upon a Grant of these premises from Richard Charlton to their Father Henry Farmer deceased; from whom they assert a derivation by the natural law of descent.

To prove that Charlton so Conveyed to their deceased Father, a document has been filed with the Board, dated 10th February 1846. in which Charlton certifies, that in the Year 1827, he did grant to Henry Farmer, the land in question, and that he does now

gave and grant the said land to Henry Farmer (then dead) to the full extent of his right therein.
What right Charlton had in this land, if any, does not appear. It is said that it is part of a Leasehold estate possessed by Charlton: but this Board have no Evidence of this Lease; or of the ground it includes.
The grant of Charlton made to a dead man, and giving no boundaries to the premises granted, is quite too uncertain and indefinite in its character to serve as a basis for the claim set up.

The Claimants rights must therefore rest upon other grounds than Charltons Certificate and quit-claim: — Entirely waiving then the Consideration of Charltons alledged Conveyance to the deceased Farmer, this Board finds a sufficient voucher for Claimants Rights, in the law of 7th June 1839, and in the First Rule established for our adjudications; since according to the testimony of Stephen Reynolds, Andrew Auld and David Lyons — three of the oldest resident Foreigners in Honolulu — the Claimants and their Ancestor have had its undisturbed possession since 1827 to the present time; and have improved it.

There are no Counter Claims set up to this land nor does it appear that any Native rights of possession exist in it.

We therefore award to the Claimants Henry Farmer, Robert Farmer, Hannah Farmer and Nancy Farmer the land in question according to the annexed Survey: — to hold as Tenants in Common, and as such, we do adjudge them a Freehold Estate therein less than allodial, which may be Commuted for a fee-simple title, pursuant to the laws.

"Commencing at West Corner of this lot — at intersection of Beretane and street leading up towards Punch-bowl hill (on the waikiki side of the Richard Charlton place) and running South

40° 15 E. 1 Ch. 60 1/2 Lks. along Beretane Street. to the Kaaoaohema lot- Thence North 54°. 30' E. 2 Ch. 42 3/12 Lks. along the Kaaoaohema Lot- (big Pen) to South Corner of lot- Claimed by Stephen Reynolds- Thence North 32°. 15' W. 1 1/2 Ch. along Place Claimed by S. Reynolds to Punchbowl Street- the North Corner of this Lot. Thence South 63°. 30 W. 2 Ch. 59 5/12 Lks. along Punch bowl Street. to Place of Commencement- including an area of

Fathoms 566. Feet 29.

June 5. 1847. J. Metcalf Surv.r

See diagram next Page.

Board of Commissioners for Land Claims
Adjudication of Cl. N° 51. Henry, Robert, Hannah and Nancy Farmer- Dis.r

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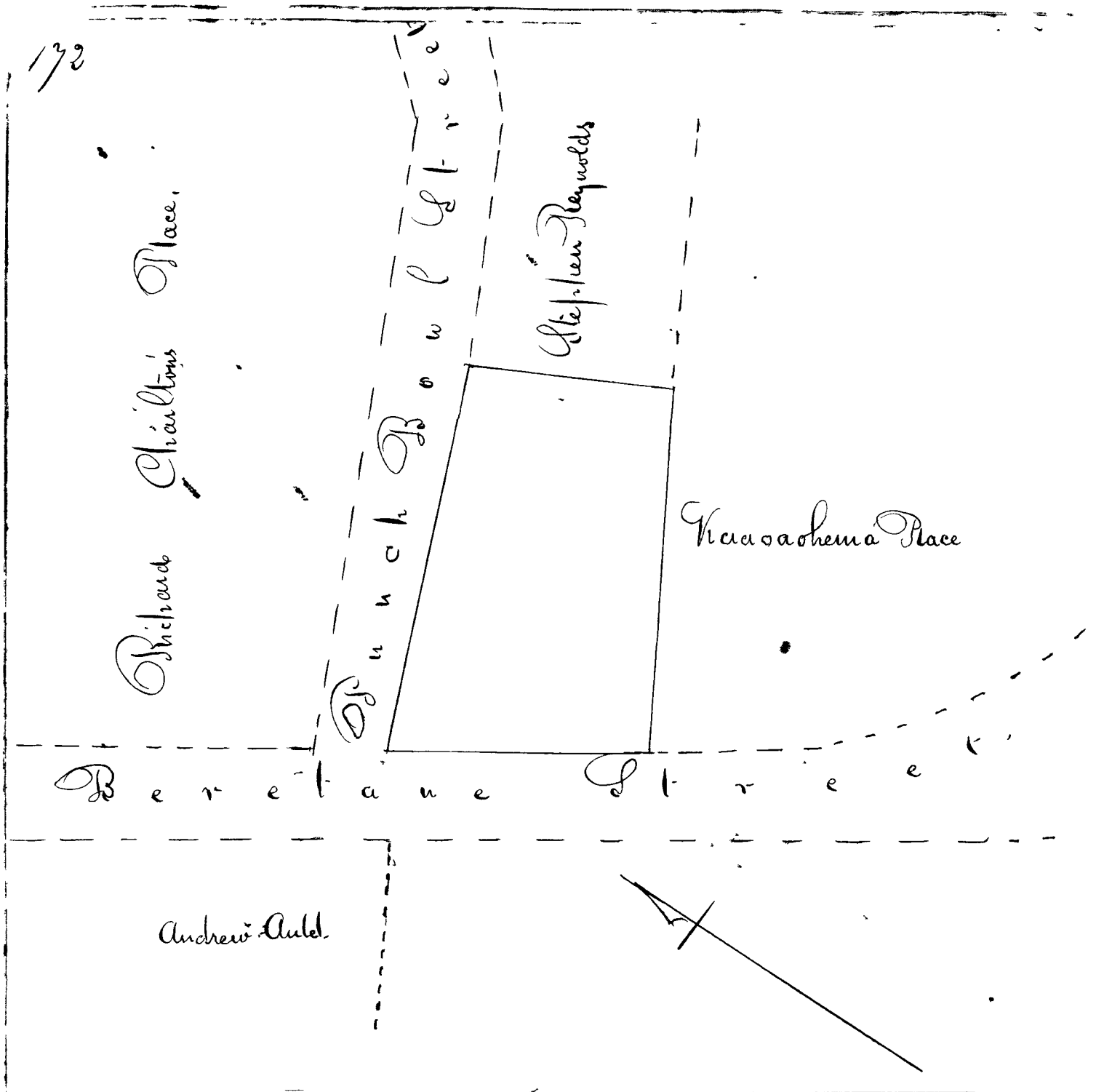
To incidental Expences of advertising Claimants the Public Notice of Commissioners to quiet Land Titles to all: and of Room hire while		1	
Engaged in the investigation of their Claims			
To action, motion &c in the Matter of their			
" claim on 7th July 1846		1	
" draft depn rec.d relating thereto	Fol.s 5	2	50
" Citation for attendance			50
" draft test.y rec.d & eng.d 15th July	Fs 2	1	50
" " deposition reduced in Cl 131	Fs 3	1	50
" Citation in Cl. 131.			50
" Action of Commrs in Cl. 131- 3d Nov.r 1846		1	
" draft Tes.y rec.d & Eng.d " "	Fs 1		75
" Subpena issued for S. Reynolds attce 10th Nov.r Cl 131			50
" draft. tes.y rec.d & eng.d on 2d June 1847	Fs 1		75
" " " 31 March 1848	Fs 5	3	75
" Mr Metcalf's Bill of Survey Cl 51.		5	
Engrossing Survey	Fs 2	1	
Report of Commrs this day rendered in Cl 51		2	50
	W. L. Lee		
Honolulu. Hale Waiwila	S. H. Smith	$ 23	75
3 May 1848.	Lot. Kekuanaoa		
	L. Kuamoo		
	C. Navaan		



Claim № 52. John Brosseau.

The brief outline of this case is as follows; According to the Claimants statement on file with this Board, he is in possession at the present time of a lot of land measuring 5 acres & 135 Rods; which lot was granted or given to him by one Kalili Konohiki of said land, who afterwards acknowledged the gift of said land in the presence of his Exc.y J. S. Judd.

The above mentioned land is not particularized by the Claimant in his statement, as to its locality, but by the Concurrent Survey of Mr. Metcalf attached we find it described as "John Brosseau's lot in Opu Kahi, Hanalei - Kauai;" which he estimates upon measurement (as stated above) as including

an area of "5 acres - 135 rods:" and after making a distinct survey of - "lot Enclosing John Brosseau's dwelling House" he estimates said lot at an area of "1 acre, 138 rods."

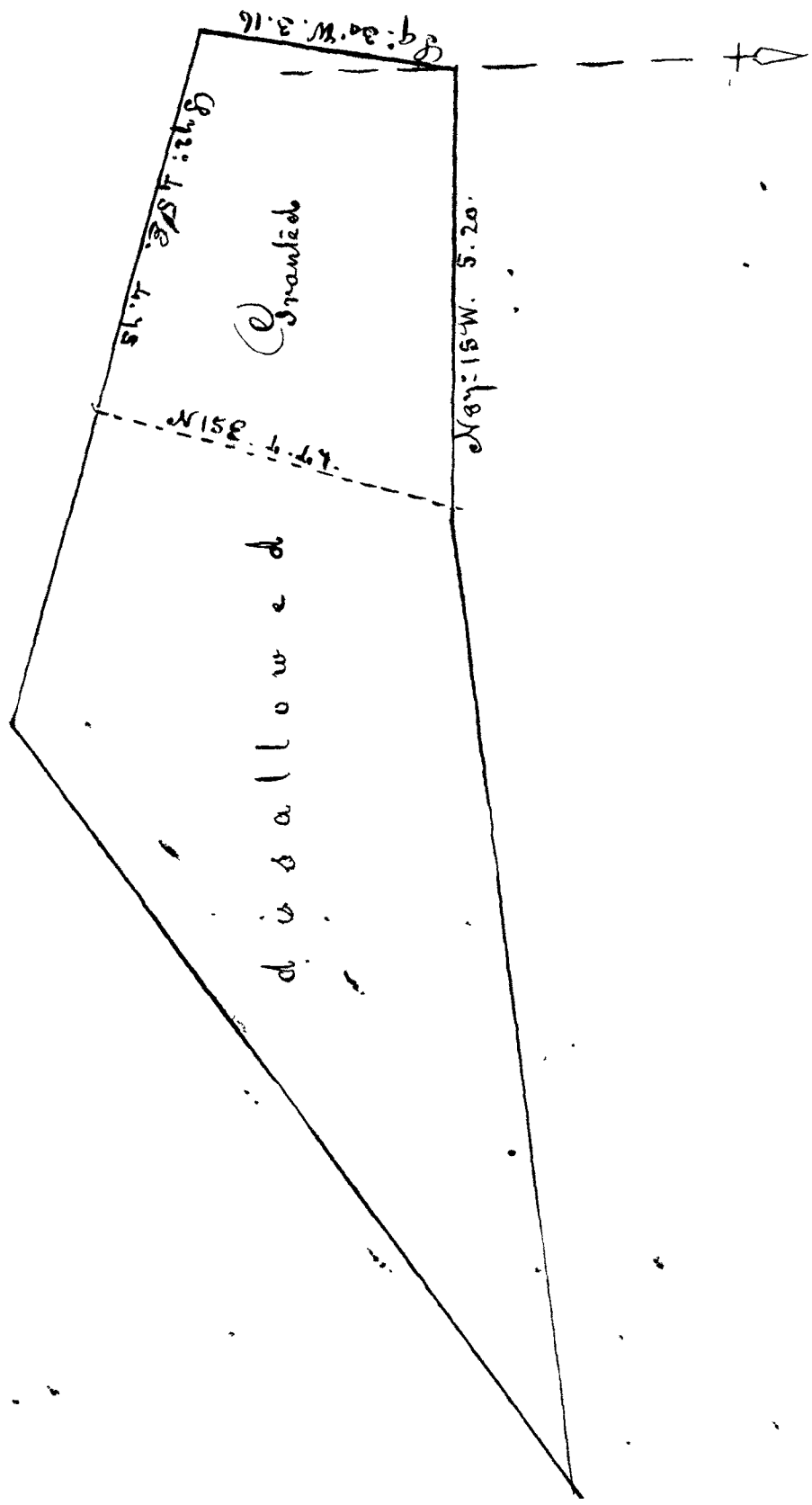
The Claimant further states that he has built upon the land, and is anxious to obtain a life-estate in it, to prevent his being dispossessed or molested. There is no precise time elicited by the testimony, when the land first became occupied by the Claimant - Mr Judd, in his testimony before the Board on the 8th July 1846 says - "Kalili did not acknowledge to me, he had given to Claimant the land in question; and it was not Certain that the land belonged to Kalili; but he (Witness) advised him to let Claimant remain."

As no Testimony has been produced before this Board to establish either the Gift, or the Right of Kalili to the land, beyond that of Konohiki under Haalilio, to whom, the testimony on record before us in another Claim №44 ascribes the undoubted Proprietorship of the Entire Valley, from whom it has descended by will to his present Majesty, in whom the Title originally resided; - We are Compelled by the Rules of adjudication for the guidance of the Board, to negative the present Claim: - at the same time by a special favor Conferred by his Majesty to the present Claimant; and made Known to this Board by one of its members Mr John Ii who was deputed by vote to apply to the King for instructions in the Case - We are empowered to award to the Claimant John Brosseau a life estate in the "lot enclosing his dwelling house," and described by Survey as follows: -

"Commencing at North West Corner of Hau Fence, 42 links from high water mark of Hanalei River; and 6 Chains from Sea in line of North boundary of lot Enclosed, and running S. 9° 30 W 3 Ch. 16 links to S.W. Corner of Fence. Thence S. 72° 45 E. 4 Ch. 75 links to S.E. Corner of said lot. Thence N. 15° E. 4 Ch. 47 links to N.E. Corner of lot. Thence N 87° 15' W. 5 Ch 20 links to Place of Commencement - including an area of -

Hanalei Apl 27. 1846 Acres 1 Rods 138.

174



Board of Comm.rs for Land Titles.
Adjudication of Cl. No 52. John Brosseau Dr

To incidental Expences &c	1	
To action &c in this Claim on 8th July 1846	1	
" draft of depos.n & Notes of Survey reduced & ingrossed in Relation to the Land Claimed	2	50
Subpoena for att.e of Witness on 8 July		50
Carr.d for.d £	5	

175

Bro.t for.d

To draft Testimony rec.d & eng.d on 8th July	£1		5
Written do " "	£2	1	15
Report of Commissioners this day rendered on the above Claim			5
	£	11	15

Honolulu
Nate Kauwila
3 May 1848.

W. L Lee
J H Smith
Lorenzo
C C Harris
D. Kamanui

Ahi 1st

Claim No 51. C & H Grimes. / Boar Mahoone Owner

This Claim rests upon the principle of the Fourth Rule adopted for the Government of this Board, being Founded, so far as the immediate Claimant is Concerned, upon a Lease to him, from Alexander Smith, dated 22d February 1840, for the term of Nineteen Years from its date, with the annual reservation of 100 dollars, and Coupled with the usual restrictions Contained in the old and new forms of Government leases.

Alexander Smith alledges his Lessor to have been Boar Mahune: and it appears on investigation of the Government archives, that a lease of this land was executed to him by Mahune on 22 day of October 1839 for the term of Twenty Years, at a rent reservation of Seventy Five dollars per Annum. The usual approval of the King & Premier in writing, endorsed upon this Lease evinces, the native tenure to have been in Mahune at the time; subject to the Government Interest, on account of which, such an approval was requisite to the transaction between Mahune and Smith.

We therefore Confirm this Claim, in default of Counter Claimants, to the heirs of Boar Mahune deceased, as a Freehold Estate, less than allodial,

176

subject to Commutation as the law directs; and subject to the unexpired term in his written lease to Smith, now the lawful property of his assigns the Claimants.

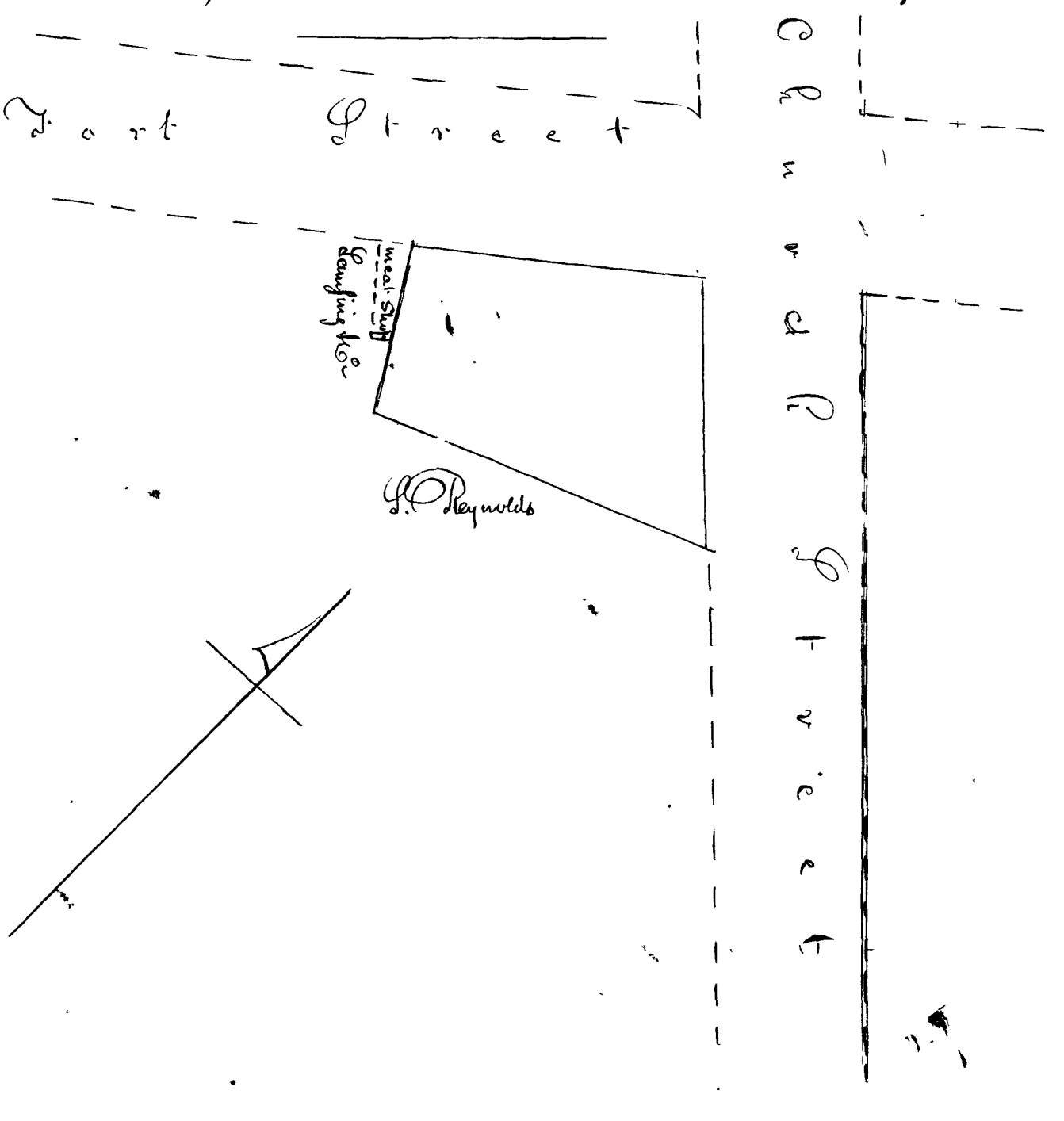
Boundaries as described by T. Metcalf Surveyor.

"Commencing at North corner of this Lot, at intersection of Church and Fort Streets, and running South 49° 30' West 63 1/2 feet along Fort Street to west Corner of this Lot at post, the mauka Corner of the Chinamans Meat shop Sam Sing & Co. Thence South 31° East 36 1/2 feet along Meat shop Sam Sing & Co's to Stephen Reynolds place: taking half of mud wall. Thence North 67° 15' East 80 1/2 ft. along Stephen Reynolds place, not taking any wall, to Church Street. Thence North 47° 45' West 59 1/2 ft. along Church Street to place of Commencement including an area of

Fathoms 91 Feet 31.

April 12 1847.

T. Metcalf.



Board of Commissioners for Land Claims:
Adjudication of Claim № 54. C. & H. Grimes

			Dr's	
To incidental expences of advertising Claimants the Public notice of Comm.rs to quiet Land titles &c all, &c.			1	
To action of Commissioners in the matter of this Claim on 21. June 1846			1	
" Draft depositions reduced in relation to this Claim		fol 4	2	
" draft testimony red.d & Eng.d on 21. June		fl		75
" Surveyors bill relating to this Claim			5	
" Engrossing Copy of Survey		fl 2	1	
" Report of Commissioners this day rendered in the above Claim	W. L. Lee J. H. Smith Joaneli L. Kaunuui C. Varnum		5	
Hale Kauwila 17 May 1848			15	75

Claim № 55. C. and H. Grimes.

This Claim having been voluntarily renounced by the Claimants on 16th July 1846 by their formal notification of the same to this Board, now on file, in favor of
№ 26 William Walker who had preferred a Counter Claim to the same premises: — no further action of the Board is required in relation to C. and H. Grimes, excepting to assess, as we hereby do, the following Costs.

To draft deposition reduced in Cl. 55		fol 2	1	
" action of Commissioners in do 21 June 1846			1	
" Subpœna issued for attend.ce of Wm Walker				50
" draft tes.y red.d & Eng.d 21 June		fl 2	1	50
" Action of Comm.rs on 7 July			1	
" draft tes.y red.d & Eng.d same time		fl	4	50
" Adjournment of Comm.rs to 21.st July and action on that day in filing Claimants withdrawment of present Claim			1	
Hale Kauwila 17 May 1848 (Renounced)	W. L. Lee J. H. Smith Joaneli L. Kaunuui C. Varnum		10	50

Claim 14. Kalama he Wahine - (Kailio) Continued
from Page 79.

Honolulu 28 Aperil 1848

I mua o na Luna Hoona kuleana ma ka Halekamila Aloha outou. O makou o ka poe nona nainoa malalo iho nei, ka poe i hoohiki imua o outou ma ka Olelo a ke Akua i ka la 21 o Aperila 1848 no ka pahale ia Kalama hooilina o Kailio

A ua makele pono makou o na hapakolu ekolu e like me ka mea i koi ia mai ia makou. A ua lawe ka hope o Kalama hookahi ona hapakolu, a koe elua hapakolu o ka pa no ke Aupuni. Aia ma ka aoao mauka ko Kalama hapakolu hookahi, a ma ka aoao makai o ua pāla ko ke Aupuni mau hapakolu elua. Nolaila, ua kupono keia makele ana a makou me ke paewaewa ole, aka me ka olioli a me ka maikai kupono like ia makou

Na Inoa
G. T. Paku
S. Kuluwaiehua
W. Hoolilamanu

Ua keia olelo maluna ua hoi aku o Paku ma i ka mea i haawiia aku na lakou e hana. No lakou ka hoomakele like, aole nae na lakou ka haawi aku i kela mea i keia mea Nolaila ke haawi aku nei makou ia Kalama i ka hapakolu waena, aole i ka hapakolu mauka aole hoi i ka hapakolu makai elike hoi me ke kii i hoopilikia malalo.

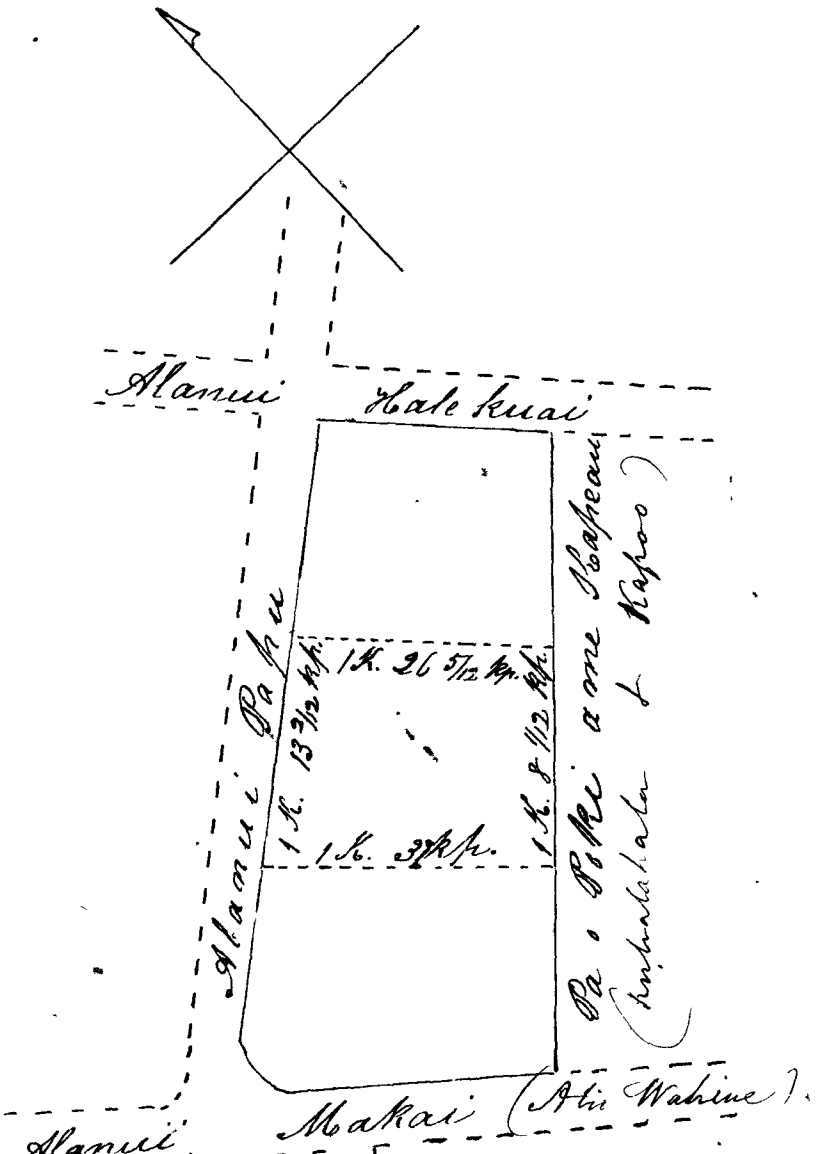
8th May 1848.

W. L. Lee
W. Smith
Kaunaʻi
Kamauu
L. Haaheo

Helu 14 *Ko Kailio hapaakolu* from Page 79

Hoomakaia ke ana ana ma ke kihi Hema o ia hapakolu, 1 kaulahao 8 kapuai 1 Iniha, hoi = mai ke Alanui makai mai; a hiki aku la ka aoao mua, A. 43° 15' Ai. 1 kaulahao 8 kapuai 1 iniha, e pili ana i ka pahale o Poki; huli, A. 44° 30' Ko. 1 kaulahao 26 kapuai 5 Iniha, e pili ana ia aoao i ka hapakolu mauka o keia pahale, a hiki i ke Alanui Papu; alaila huli H. 51° K. 1 kaulahao 13 kapuai 2 Iniha, e pili ana i ke Alanui Papu huli hou i ke kihi i hoomaka'i ke ana ana, A. 47° Ai. 1 kaulahao 37 kapuai e pili ana i ka hapa = kolu makai o keia pahale

Eia ka Ili maloko 205 anana 14 kapuai



Claim N°56. Eliab Grimes.

This Claim is founded upon a right of Purchase made by the Claimant of the Premises in question, from William French "as the Father and Guardian of Mariana French," on the 9th of August in the Year 1838, for the Consideration of the sum of 400 dollars.

The Premises thus alledged to have been obtained by the Claimant, are described in the deed as "all that Piece of ground, with one grass house thereon, situated in the Village of Honolulu, Island of Oahu and adjoining the Premises of John Meddles, H.P. de Seriere. and Richard Ford in said Village, and well Known by such description at this time: said ground measures easterly 129 feet; West 114 feet; North 106 feet, and South 90 feet."

With regard to the original derivation of this Land, no testimony has been elicited beyond the statement of Mr Wm French before this Board on 24th June 1846 as follows— "This place was willed by her Mother to My daughter, a few days before She died in 1834. The Mother held the Land from her Relations. There is No written Evidence of the Will, which was verbal. From 1834 to 1837 the place was rented to sundry persons by the Witness. There were no Natives interested in the premises. Witness built a large grass house on the Premises & enclosed it. Mr Grimes (the Claimant has Continued to occupy it since 1837."

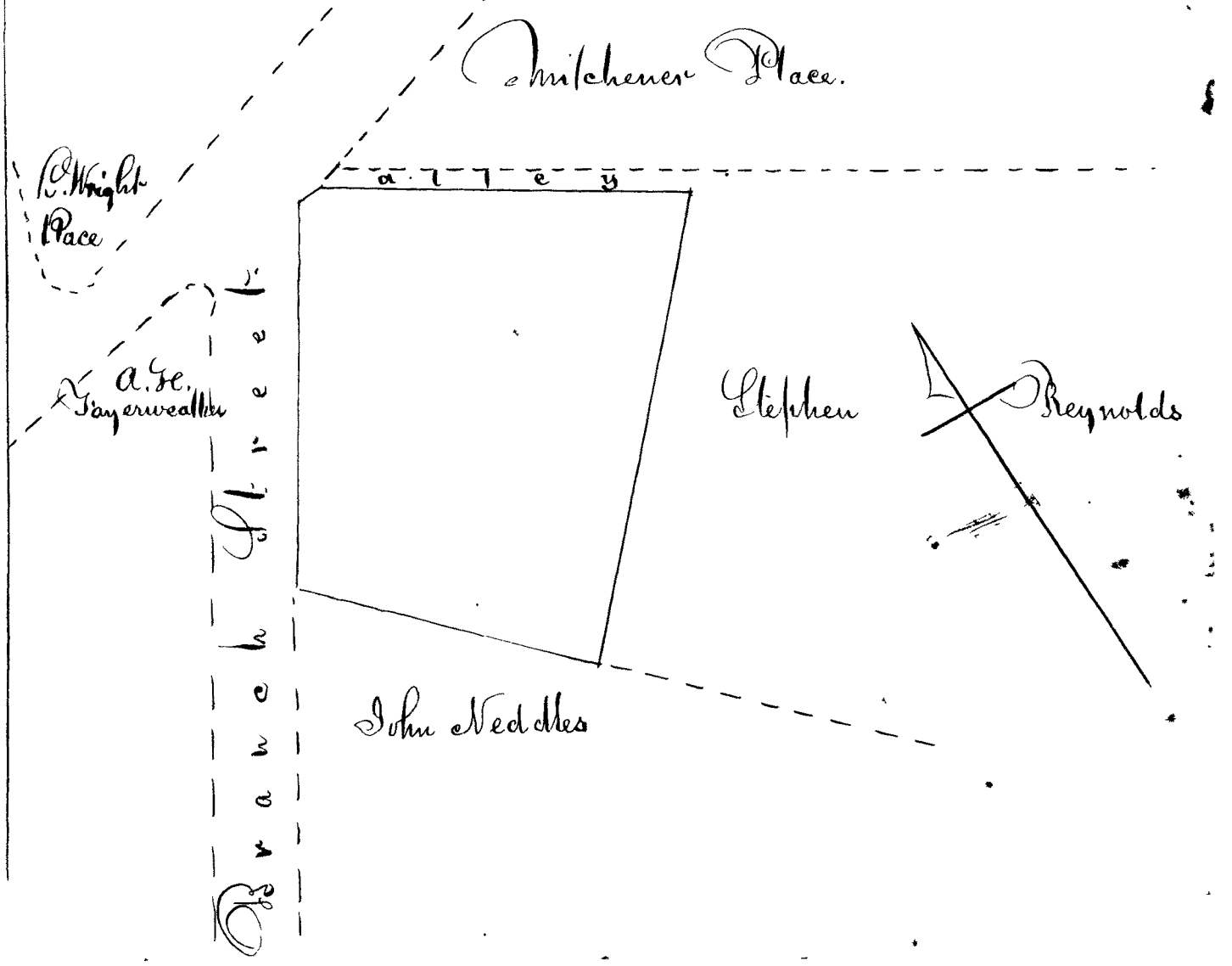
The present Claim therefore, manifestly comes under the First Rule established for the Government of this Board, as no native rights of occupancy appear to exist in this plot, and having been occupied by the Claimant, and improved since the Year 1837: the boundaries of which have been ascertained and demarked by Theophilus Metcalf on 27 April 1847 as under. We therefore Confirm the Claimants right

to a Freehold estate in the Premises, less than allodial; entitled to the Commutation according to law.

" Commencing at North Corner of this lot joining Branch Street; and on Makai side of alley leading into lot owned by Stephen Reynolds; seperating this from the J. T. Mitchener or Dr. Ford place; and running South 35° 30 W. 27 ft. along Branch Street to slight angle in wall.— Thence South 31° 45' W. 1 Ch. 20 1/2 ft. along Branch Street (street between the Alex. Adams & Pelly places) to North corner of John Neddles place. Thence South 43° 45 E. 1 Ch. 18 1/2 ft. along between this and John Neddles place (not including any of the wall) to West Corner of place owned by Stephen Reynolds. Thence North 44° 15' E. 1 Ch. 64 1/2 ft. along between this and S. Reynolds place (not including any of wall) to alley seperating this from the Dr. Ford Place. Thence N. 55° W. 1 Ch. 41 1/2 ft. along Makai side of above named alley to place of Commencement.— including an area of

Fathoms 320.

April 27. 1847. T Metcalf



Board of Commissioners for Land Titles.
Adjudication of Claim No 56. Eliab Grimes Esq

To incidental Expences of advertising Claimants &c and of Room hire while engaged in the investigation of their Claims		1
To action, motion &c of Comm^rs in the Matter of this Claim on 24 June 1846		1
Draft deposition reduced in Relation thereto fol 3		1 50
" testimony " deng^d	fol 2	1 50
Surveyors bill relating to this Claim		5
Engrossing Copy of survey	fol 3	1 50
Report of Commissioners this day rendered on the above Claim		5
		16 50

Kale Kaawela
17 May 1848

W. L. Lee
[illegible]
L. Kaauwai
Kanaina
Kanaele

Claim No 57. Simeona Kau Postponed

Claim No 58. Mapu postponed

Claim No 59. Kuanea postponed.

Claim № 60. Thomas Hunt.

The Brief outline of this Claimants merits and rights before this Board, are summed up by his own statement: that he has resided in the Hawaiian Isls. for upwards of 39 Years, where he has intermarried with a native of the Country; and has a family of grown-up Children: that during the earlier part of his residence on these Islands, he was for a number of Years, in the Employ of the native Chiefs, particularly in that of Kalaimoku; who took him under his immediate protection: subject to his Commands at all times, when his services were required, in fitting out & working their small Vessels, or otherwise attendant upon the Person of his Chief: that he had made several voyages on the N. W. Coast, and that the proceeds of such voyages, as a seaman, received in Cash or trade, were in every instance shared with his Patron Kalaimoku: that out of Friendship and for faithful Services rendered, Kalaimoku voluntarily presented him with the Land, Known by the name of Kapalukiu, in the district of Palolo. and that of Kahapupuu, in the district of Ewa: the former of which two Lands, he retained possession of more than 4 Years; and the latter upwards of 15 Years. That Gov.r Boki desired the Claimant to perform a voyage in the Thaddeus; and Kalaimoku his patron not wishing him to go on the voyage, the Claimant told Kalaimoku he would not go; for which reason Boki deprived him of the land, according to native Custom. but Kalaimoku, by way of reward for this, finally gave Claimant another Land, Called Palolo, which is what he now Claims under the subdivision name Kapalukiu.

But from the Examination, it appears that the Claimant Hunt was dispossessed by his former Patron, Kalaimoku, before Kamehameha II went to

England in 1823, in the same manner and with like authority, as he had been dispossessed of his former land, by the Feudal Lord Boki; of which former dispossession, he does not Complain. The reason assigned for his dispossession by Kalaimoku, was the Claimants habits of frequent intoxication, and his Consequent inability to attend to the business expected of him as Rent service by Kalaimoku.

This Land was, upon Hunts dispossession for the above Cause, Conferred upon Moehau, in whose possession it remained till his death, when it descended to his wife by right of succession, who marrying Kahema, the land by native right became his. Kahema died in possession in 1830, when it descended to Kekauriki, who is still in possession.

Whether in fact, the right of the present possessor, Kekauriki is thus established against all other persons, does not sufficiently appear to enable this Board to award the Land to him; as his rights, whatever they may be, have not yet come under its examination in his name: but certain it is from the testimony and the Motives elicited, that the Claimant Thomas Hunt, has no interest in the Land, for which he has set up his Claim: and We accordingly reject it.

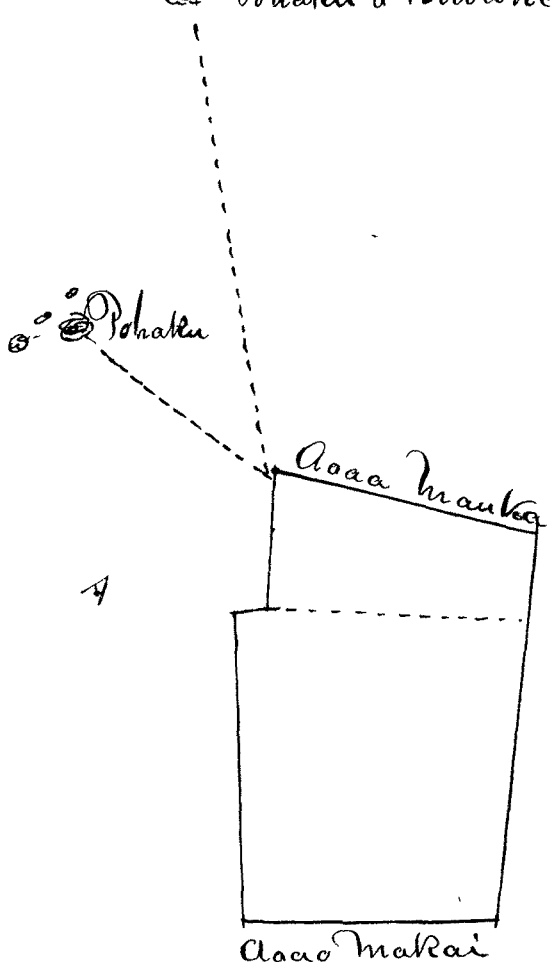
The "small house lot" included in the present Claim, is represented by testimony taken before this Board on 16th June 1847 to have been derived by Claimant personally from one of the Chiefs, and sanctioned by Kaahumanu in 1831, and the Claimant Constantly to have resided on it ever since without dispute or interference. The ground is stated to be about 40 fathoms by 30 in extent and has been enclosed from the first occupation. We therefore award the last-mentioned plot to the Claimant as a freehold less than allodial: open to Commutation in accordance

with the law; and described by Survey as follows:-

"E hoomaka ana i Ke ana ana ma Ke Kihi Komohana akau o Keia ʻpa, ma ia Kihi hohoi mana aku i Kekahi pohaku ma Ke Kae o Ka pali, i Ka H 88° Ko. 1 Kaul: 24 1/2 Kap. mai ia pohaku mai a ma ia Kihi hohoi mana aku i Kekahi pohaku Kaulana o Kuolokele Ka inoa, i Ka ~~AK~~. 48°. Ko. 2 Kaul. 45 1/2 Kap., mai laila mai a hoe aku Ka aoao mua ~~AK~~ 62°. 30' ~~H~~ Ko. 1 Kaul. 27 1/2 Kap. oia Ka aoao Mauka o Keia ʻpa huli Hem. 33°. Hi. 2 Kaul 9 11/12 Kap. huli Hem. 54°. Ko. 1 Kaul. 19 11/12 Kap.; oia Ka aoao Makai o Keia ʻpa, huli ~~A~~. 39°. 45' Ko 1 Kaul. 43 7/12 Kap huli ~~A~~ 53°. 30 Hi, a holo i Ki 3 1/2 Kap: alaila huli i Kahi i hoomakai ~~A~~ 29°. 45 Ko. 41, 1/2 Kap.

Eia hoi Ka ili Malokō 38 7- Anana 13 Kapuai.

Pohaku o Kuolokele Ka inoa.



(In Waikele Ewa)

Board of Lands Commissioners.
Adjudication of Claim N°60 Thomas Hunt &c

To incidental Expences of advertising Claimants &c and of Room hire while Engaged in the investigation of their Claims			1	
To action, motion & adjournment of this Claim on 7 July 1846.			1	
" Draft deposition reduced in the matter of this Claim		Fol. 3	1	50
" Citation for Claimants attend.ce				50
" Draft testim.y red.d and eng.d	29 July	Fl		75
" Subpoena for Kanihoa				50
" draft test.y red.d & eng.d	18 Aug:	F2	1	50
" " " "	26 May 1847	F1		75
" " " "	16 June "	F1		75
" Survey of T Richardson			2	50
" Engrossing survey		F2	1	
" Report of Commissioners this day rendered in the above Claim			5	
			16	75

May 23 1846 William L. Lee
J H Smith
Z. Kaauwai
C Kanaina
Koaneki

C. 61. Umiehelhei	Postponed
C. 62 T. Rives	"
C. 63 Nanaina	"
C. 64 Kikeva	"

Claim N.° 85. William Bacle.

The present Claim Comes under the first Rule established for the Government of the Board.

The land in question, according to the testimony elicited, has been continuously occupied, fenced and improved, during the past twenty Years.

According to the testimony of Mr. French, the present frame house and wall were erected about the Year 1832, and the same Witness alledges, that he knew from Kalaimoku, that Kamehameha 1.st gave Claimant the land in the Year 1817. - stated by Claimant to have been bestowed for Services rendered.

We accordingly confirm it to the Claimant William Bacle, as a freehold Estate, less than allodial; which may be Commuted pursuant to the law. There appear to be no Counter native rights. The boundaries as demarked by Mr. Metcalf are as follow:-

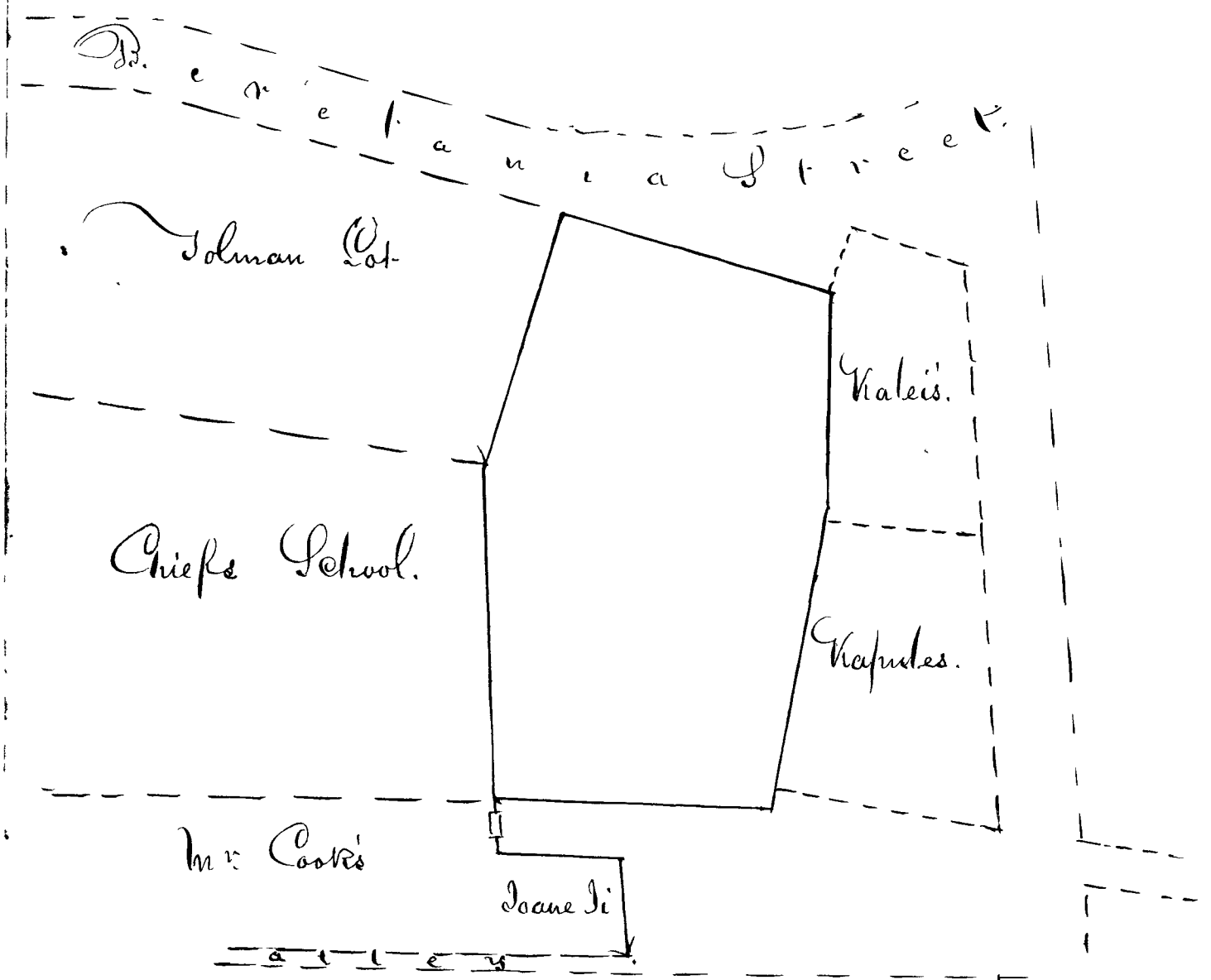
"In Pohukaina: Commencing at South Corner 13 links or 8 7/12 ft. from Corner of Kapule's lot Makai and in line of S. Eastern boundary of lot measured, and 1 Ch. 45 lks (29 8/12 ft.) from Nuowaina street in line of first course, and running N. 45.° 15 W. 1 Ch. 66 lks (109 7/12 ft) to West Corner of this lot, adjoining the Corners of Mr. Cooks and Young Chiefs school lots - Thence N. 41.° 30' E. 2 Ch. 19 1/2 lks (144 8/12 ft.) to angle; Thence N. 58.° 15' E. 1 Ch. 62 lks (107 ft.) to Beretania street - Thence S. 30.° 45' E. 1 Ch. 81 lks (119 1/2 ft.) to East Corner of this lot, joining Kalei's lot - Thence S. 45.° 30' W. 1 Ch. 44 lks (95 ft) to angle. Thence S. 55.° W. 1 Ch. 89 lks. (124 7/12 ft.) along boundary between this and Kapules lot to place of Commencement: including an area of

Rods 108 - Links 382

Or Fathoms 821. Feet 13.

Honolulu May 23rd 1846

188



Board of Commissioners for Land Claims

Adjudication of Claim No 65. William Lee Dr.

To incidental expences &c of advertisements and Rent &c	1	
" Action &c in the matter of this Claim 28. July 1846	1	
" draft depn. ved. & Engd. including Survey $3	1	50
" Citation for 5th Aug. 1846 & Subpoena for 16 June 1847	1	
" draft testimony ved. & Engd. on 16 June $1.		75
" Report of Commissioners this day rendered in the above Claim	5	
	$ 10	25

William L Lee
J H Smith
L. Kaunamai
Kamauna
Loane Li

Honolulu.
Hale Kawila
17 May 1848.

Claim N°66. Napahi. Postponed.

Claim N°67. Benjamin Pitman.

The Claimant is a Hawaiian Subject, resident at Hilo, Hawaii; where his land, "now held and occupied" by him, is situated. It is described by him to be "on the land of Piihonua; which land was formerly held by Hoolulu, as his Kihapai (cultivated ground) on which he lived many Years; and on which some of his Children were born and the land now claimed is stated to have been given by Hoolulu to the present Claimant, as his Son-in-law for the apparent purpose of forming a mercantile Establishment upon it: which Claimant states to have been the representation made by him to Kuakine, Governor of Hawaii, upon application for his permission Confirmatory of the grant: upon the receipt of which sanction of Kuakine, "acting on and in behalf of H. H. Majesty the claimant "Enclosed the land (as per draught Communicated to the Board) and erected a store for general merchandize, dwelling house and other buildings necessary for domestic purposes and business."

The Claimant is represented by two witnesses examined by this Board on 9th June 1847, to have taken possession of this land about the Year 1838.: having previously married the daughter of Hoolulu; and to have occupied it permanently to the present time. They also represent the place to be in a highly improved Condition since his occupation, and that he has lived upon it undisturbed: no Counter-claims of right existing in relation to said lands.

Hoolulu the Grantor, is stated by one of the witnesses to have originally obtained this land from his Father-in-law in the Reign of Rihoriho; and M.P.I. states, that he personally knew him to have been resident upon it in 1830; with a fence about

his house at that time.

Independant of other grounds of Claim, the requirements of the first Rule of the Board having been amply fulfilled in this Case, to ensure its corresponding provision of Title in such claims, renders the present a clear case for an award of a Freehold Title less than allodial; which We accordingly Confirm to the Claimant Benjamin Pitman subject at his discretion to after Commutation as the law prescribes.

Boundaries as described by Mr Melcalf of Benjamin Pitmans dwelling house Lot in Piihonua, Hilo, Hawaii.

Commencing at North Corner of this lot at intersection of Pitman and Piihonua streets. and running South 43° W. 1 Ch. 46 10/12 Ft. along Puna side of Piihonua Street to slight angle. Thence South 40° 45' W. 3 Ch. 41 7/12 Ft. along Street to slight angle. Thence S. 42° 30' W. 2 Ch. 52 8/12 Ft. along Street to W. Corner of this lot. Thence S. 39° E. 1 Ch. 38 3/12 Ft. along Fence to the A. B. C. F. M. Premises at S. Corner of this lot Thence N. 32° 15' E. 4 Ch. 4 Ft. along the A. B. C. F. M. (Punahoa 2d.) to slight angle in Fence. Thence N. 59° E. 1 Ch. 25 8/12 Ft. to slight angle in Fence. Thence N. 54° E. 2 Ch. 39 Ft. along (always) the A. B. C. F. M. Premises. to Pitman Street; the East Corner of this Lot. Thence North 40° W. 3 Ch. 19 10/12 Ft. along Pitman Street. to place of Commencement. — including an area of

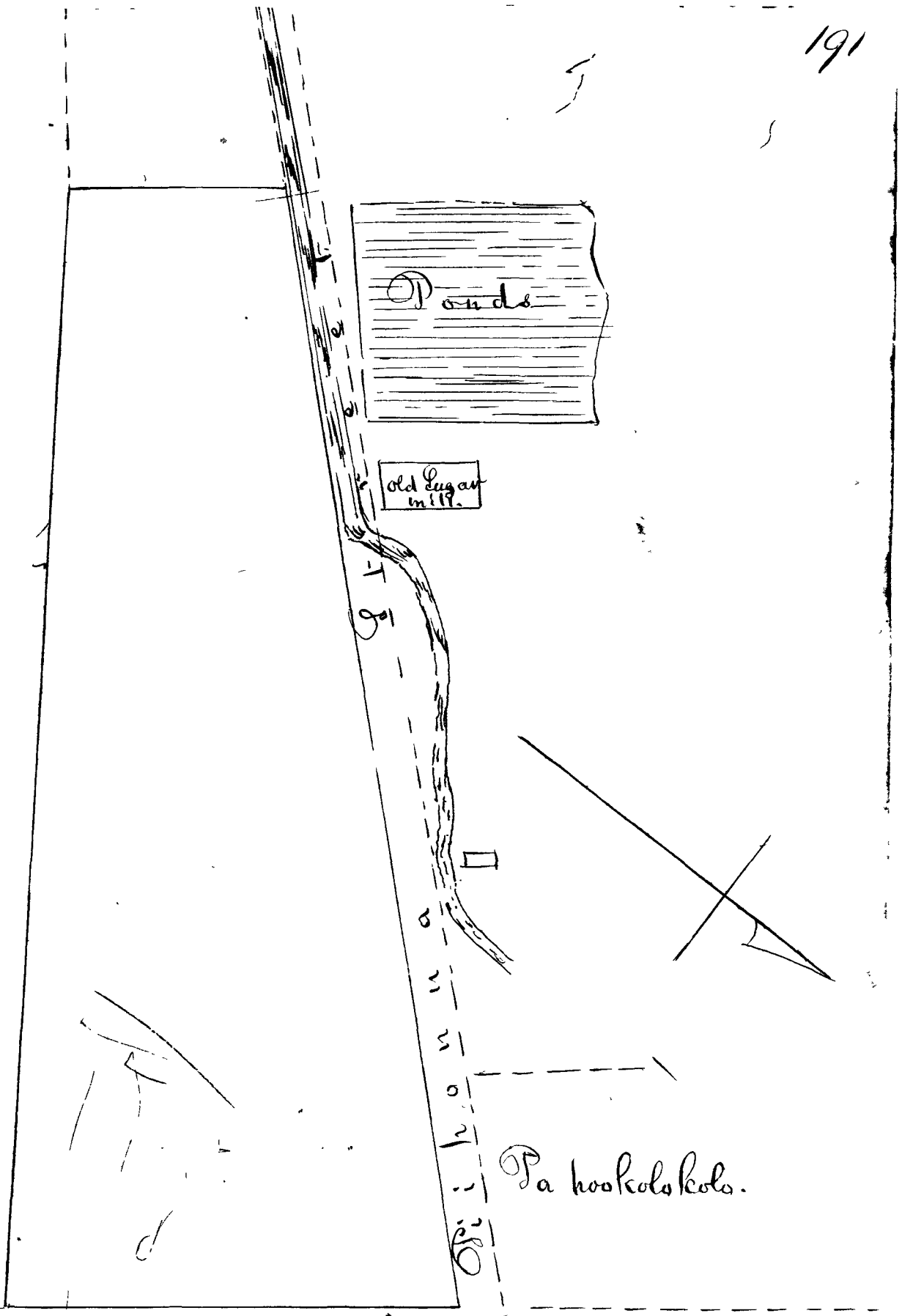
Acres 1 92/100

July 29. 1847.

J Melcalf Sur.

191

The A. B. C. S. S. M. Premises.



Board of Commissioners for Land Claims.
Adjudication of Claim N° 67. Benjamin Pitman Dr.

To incidental expences &c of advertisements and Rent-hire &c.		1	
" action &c of Commissioners in the Matter of this Claim on 9th June 1847.		1	
" draft deposition reduced in Relation thereto		3	
" " testimony " Engrossed	fo. 2	1	50
" Bill of Survey from Mr. Metcalf		8	
" Engrossing Copy of Survey	fo 3	1	50
" Report of Commissioners this day rendered in the above Claim		5	
		$ 21	

Honolulu -
Hale Naauao
17 May 1848.

William L. Lee
J H Smith
L. Kaauwai
C Kanaina
Locke

Claim N° 68. Kapahoanui deferred "
" 69 Kanian awarded in N° 3.
70 Waiaha deferred
71. M J. Nowlien "
72. D.C. Higgerson "
73 Unauna "

Claim N° 74. Hiram. Grimes.

The Claimants Title rests upon a Sheriffs sale in consequence of the foreclosure of a mortgage, given by Henry Swinton upon the Premises to Jules Dudoit. The Mortgage was, of Course, a pledge of all the right title and Interest, which the Mortgagor had in the Premises, to the Mortgagee; and the

decree of foreclosure ordered this to be sold for satisfac-tion of the lien. The Sheriffs deed, upon which the claimant relies, accordingly conveys to him, under date of 22d November 1844 "All the Right, title & interest or claim, present or expectant, which the said Henry S. Swinton had in the said Premises on the said day of Sale, and only subject to the terms of his title therein."

The question arises: What was Henry S. Swintons title to the Premises; for that, and no other is now to be the Title of the Claimant.

For this we are driven to the Testimony: in which it appears, that Edward Brown bought the premi-ses in 1833 from the Kings Cook one Bill the baker and having occupied it until September 1839, sold it to Swinton, who occupied, built upon & improved it, until shortly before the foreclosure of the mortgage, in virtue of which the present Claimant purchased.

There exists no evidence of how Bill the baker derived it; but this defect is cured by the first Rule* adopted by this Board: the land having been occu-pied and improved by the previous occupants from 1833 to the present time. We accordingly award it to the Claimant as a Freehold Estate less than allo-dial. and described by Survey of Mr T. Metcalf as under:-

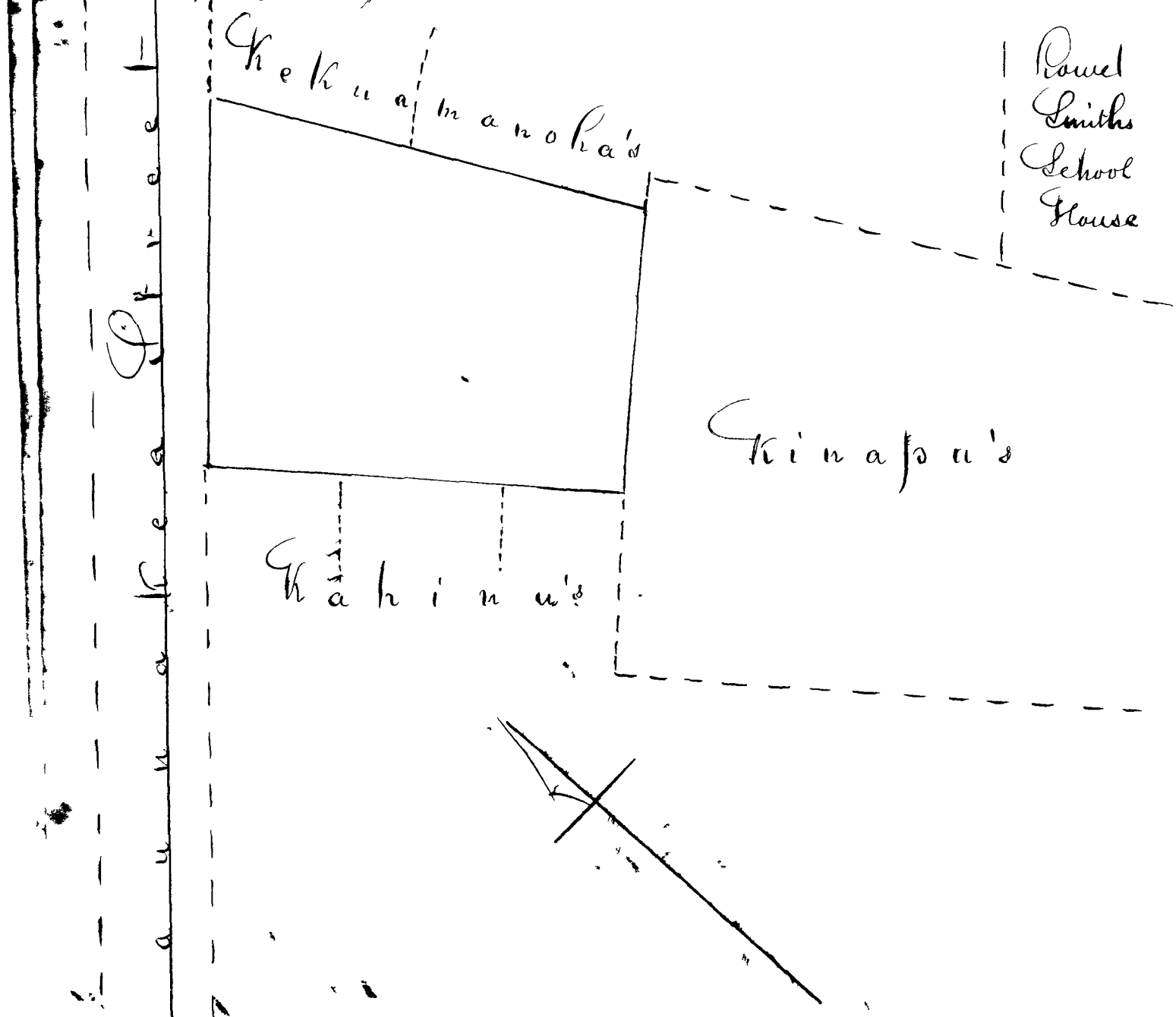
"Place called the Worlds End in Kaumakapili-

Commencing at N. Corner of this Lot. on S. E Side of Maunakea Street, joining lot owned by Keliamanoha on Mauka side, and running S. 27° 45' East 1 Ch. 37 1/2 Lks. along Keliamanoha's place to lot owned by Kinapu the East Corner of this lot. Thence S. 53° 45' W. 1 Ch. 4 lnc. along Kinapu's place to S. corner of this lot. Thence N. 38° 30' W. 1 Ch. 28 1/2 Lks. along Kahinus place to Maunakea Steet. Thence North 48° East 1 Ch. 19 1/2 Lks. along Maunakea Steet to place of Commencement. Taking in all surrounding walls

194

and including an area of
Ap. 27. 1846.

Fathoms 210. Feet 11.



Board of Commissioners for Land Claims.
Adjudication of Claim № 74. Hiram Grimes Dr.

To incidental Expences &c relating to Claims			1
" action &c of Commissioners in the matter of this Claim on 22 June 1846			1
" draft of deposition relating to this Claim reduced		£. 4	2.
" draft testimony reduced 1 Engr.d		£ 1	7.5
" Mr Metcalfs bill of Survey Engrossing Survey		£2	6.
" Report of Comm.rs this day Rendered in the above Cl.			5
		$	15.75

W L Lee
J K Smith
L. Kaauwai
Naauau
Loan Li

Honolulu
Hale Kauwila
17 May 1846.

Claim N°	75 Charles Cockel	deferred
	76 William Shaw	"
	77 Lorrin Andrews	"
	78 Nakahonu	"
	79 Napahi	"
	80 M. Keoke	"

Claim N°81. Joseph Booth.

The present Claim is founded upon a "Deed of Purchase of a portion of Land in Honolulu," in which the Claimant Joseph Booth, makes application to this Board for a Patent in fee simple for the same.

The history of the original derivation by Byrne of this Land, is without written Vouchers, and confined entirely to the oral testimony of two witnesses; one of which — Dr. Rooke, is Cognizant only of two facts relating to the Claim; — That Byrne had built a house on the Land, and dug a well; And had rendered services to the King.

For the other, and important part of the Testimony we are indebted to the Governor Kekuanaoa, who was the acting agent in the original transaction; and who had informed Doctor Rooke, as he states in his testimony, that the Grant was made to Byrne by order of Kinau; he Kekuanaoa measured it out himself; which Kinau Commissioned him to do for Byrnes Services to Kihoriho: observing, that what Kinau had done, would be valid in reference to the sale, and transfer of this Land to the present Claimant, Joseph Booth

The principal Enquiry is, What is the true Character of the Grant? is it merely a life Estate title, as these gifts generally are intended; or a Fee simple?

Were it not for the frank avowal of the Governor himself, in his testimony before this Board on the

9th of September 1846. We Could not satisfactorily decide this point in favor of the latter Title: whose explicit language we quote as follows. "The King & Kinau gave it (the land) to Byrne; in Consequence of Byrne teaching Rihoriho; I gave my approbation to Booth buying the place: he told me he was buying it for his Children:" thus, in the last Clause Characterizing the original bona fide intention of the Grantor, in sanctioning the Reference made by the present Claimant to his Children; and at the same time upholding the right of transfer.

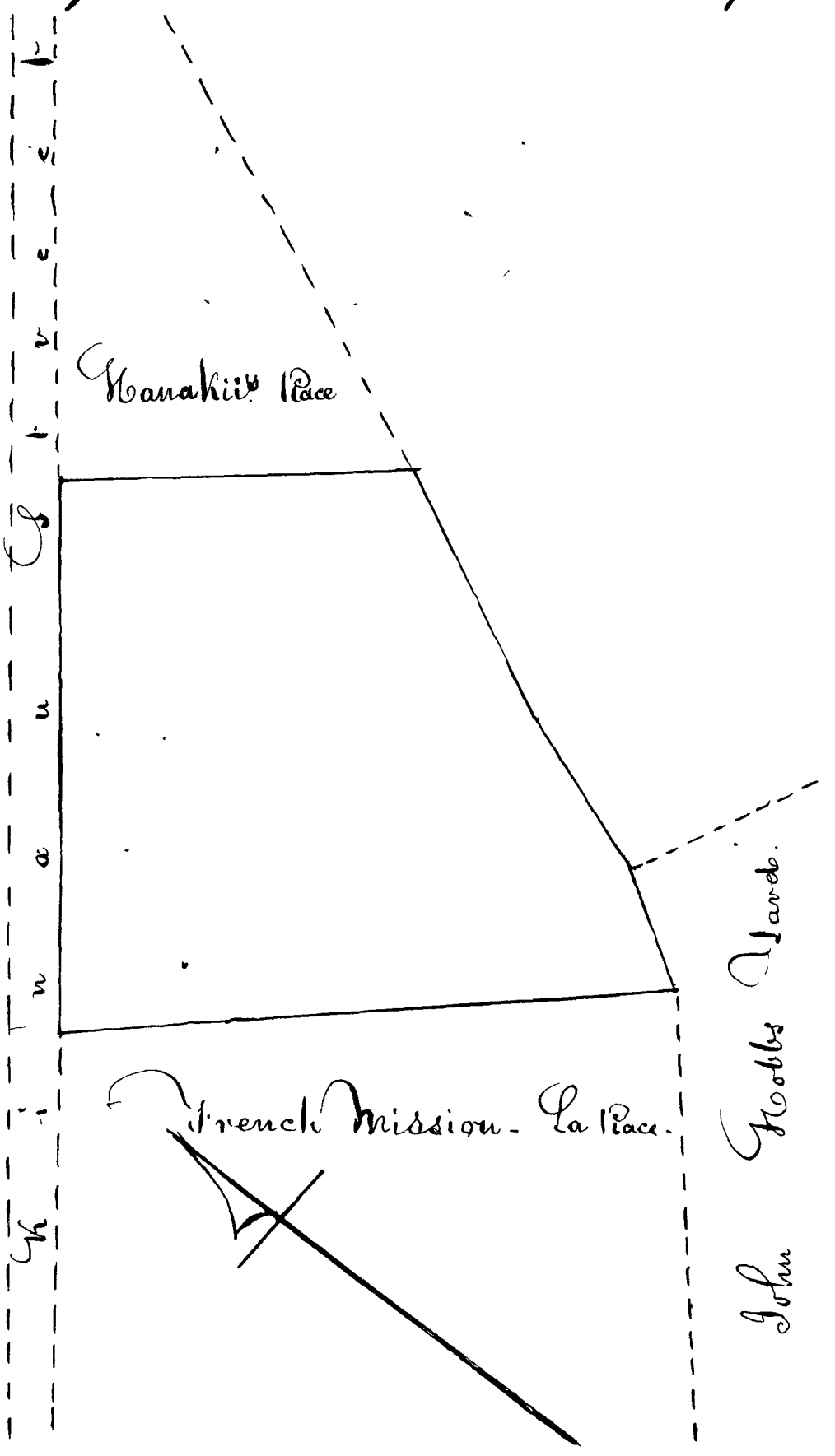
The evidence of such transfer having been made, as well as the Consideration of 250 dollars having been paid for it by the Claimant to Byrne, through Doctor Rooke, is on file with this Board, as well as the original deed.

In Consideration of all the facts of the Case; so well established and Conclusive:— We Confirm the Claimant, Joseph Booth, in his right to a fee-simple title in the plot of Land above referred to: his predecessor, from whom he derives, having paid an equivalent in the Services rendered to the King, as preceptor to his adopted Son, Rihoriho; and which title was given by the King and Premier in person. For which, full evidence has been adduced, while at the same time, the testimony of the Governor Kekuanaoa establishes the fact, that the transfer of the Land from Byrne to Booth, on which the present Claim rests, was made in accordance with the Law Defined by Survey. "House lot Jos Joseph Booth in Kaumakapili Honolulu— Commencing at West Corner of this lot on Kinau Street (Bobbie alley) joining the French mission premises (of Laplace memory) on makai side of this, and running South 42° 15' E. 1 Ch. 64 1/2 ft. along French mission place, to John Hobbs unoccupied (by himself) lot and S. Corner of this— Thence N. 31° 15' E. 26 1/2 ft. to N. Corner of

I. Hobbs place, at slight angle in wall. Thence North 19° E. 35 ft. along wall & Isaone It's premises to slight angle in wall, Thence North 24° 30' E. 62 ft. along Isaone It's to E. Corner of this lot. Thence N. 20° 45' W. 1 Ch. 6 7/12 ft. along lot claimed by Hanakii to Kinau Street. at N. corner of this lot. Thence S. 52° 15 W. 1 Ch. 48 2/12 ft. along Kinau Street to place of Commencement. taking in walls on N.W. & N.E. Sides only, and including an area of

Fathoms 296 Feet 10.

July 23. 1847. J. Metcalf Surv.



198

Board of Commissioners for Land titles
Adjudication of Claim № 81. Joseph Booth. Dr.

To incidental expences of advertising Claimants and house rent &c			1	
" action of Commissioners in the Matter of this Claim on 28 July 1846.			1	
" Draft deposition reduced in relation thereto &c			2	
" Citation for attendance on 2 Sep.r				50
" Subpoenea for Witness				50
" draft testimony reduced & Engrossed on the 8th and 9th September		$5	3	75
" Report of Commissioners this day rendered on the above Claim			5	
" Surveyors Bill			5	
" Engrossing Copy of Survey		$3	1	50
		$	20	25

Hale Kauwila
Honolulu
17th May 1848

William L. Lee
J H Smith
L. Kaauwai
Lowell

Claims № 82 to 86 T Phillips deferred
" 87 Kaluhiwa "
" 88 Kekuamanoha "
" 89 Kina "

Claim No 90 Kepane Montgomery.

This Case involves a right set up to, "a certain piece of ground situated in Honolulu;" which ground (as represented in Claimants Statement on file with the Commission) includes a certain portion of the same which has been out of occupation of the present Claimant, and in the possession of the descendants of Don Fransisco Marini upwards of twenty years.

With regard to the historic evidence which has been produced before this Board in support of the above Claim on the 16th & 22d of September, and 6th & 13th of October 1846, and on which days upwards of twenty Witnesses were then examined, both foreign & native:— without going into the detail of the same reiterated particulars which Constituted the main body of the evidence, the substance may be thus stated:—

— It has been proved that a certain piece of ground was in the occupation of Nahan Winship, father of the present Claimant, in Honolulu, near the Sea, in the Year 1812. That the said Land was bordering upon, & partly, within, Land in the previous possession of Marini, or altogether within his allotment: & that the present Claimant has not now possession of all she formerly had, which is supported by the testimony of David Kyons in the particulars, that the land then occupied by Winship, included the place now fenced with stone, occupied by Marinis Children, and others affirm that his premises extended from the interior down to the Sea-side, and were divided by a little Path running into the Sea; but none of the Witnesses could now point out the exact boundaries.

Another fact proved by the Concurrent testimony of most of the Witnesses, is, that Winship built a House upon the Land, and made a fish-pond near the Sea:— Such may be stated to Constitute the positive Evidence received by the Board, essentially involving

the first right.

With regard to the dubious testimony elicited, and capable of different Construction, there is much on record of that Character.

We may state first as a leading particular that much diversity of opinion prevailed among the witnesses, Concerning the nature of Winships title in the first instance: most of them appearing to Consider it only of a secondary description, as a subordinate right under Marini; who obtained the previous grant of the entire plot from Kalaimoku; and at Kuihelani's instance, as the friend of Winship, and through the permission of Kalaimoku, Consented to, or rather invited the residence of his then welcome friend on his land.

Punalua says, the place was Mariniis before Winship lived there; and Marini both made and paid for the fence.

Ahukai says Marini gave Winship the place, and built the house: Marini owned the place from one Corner to the other.

Malau, on the other side, states, that he does not know who possessed the place before it was transferred to Winship: there were no houses then upon it: Kamehameha & Kalaimoku first gave him the place: it belonged to him Clear to the waters edge; and extending to the fish pond which he made.

Umiokalani states that the Claimant derived her right from her Father Winship; who received it from Kalaimoku at Kamehamehas return from Hawaii; and Winship lived there till he left the Islands: stated by two other witnesses, to have been 8 or 9 Years.

Mr. J. Reynolds in his testimony, Considers that Winship was living by sufferance of Marini; and had no other or higher rights.

Capt. Wm Sumner takes the same view, and

says - he never Knew of any one ever giving Winship, Land.

Capt A. Adams deposed that he belonged at that time to Winships ship, and on bringing stores ashore, was always directed to Howard then to Marini's: he never knew that Winship owned any Land: he always understood it was Marini's Yard; nor did he know of Winship building any houses.

Poki; another witness, deposed, that he knew Claimants father: that Kuihelani, Marini & Witness were living together; and after Winship came, he built his house, then living under Marini. He went to Kalaimoku for a place to build; who told him to take the place under Kuihelani and Marini.

Punalua also states that Winship derived his rights from Marini.

The Testimony of Wm Pleach is as follows:- (referring to a Conversation he had with Nathan Winship the U.S. of America in 1818.) "Nathan Winship stated to me, that he had given up the houses he had built to Marini, in Consideration of his taking under his protection, his daughter, and a Girl of the name of Ruggles. I always understood that place was granted to Marini; and that Winship occupied with them." It is observable, that in this Conversation no mention was made of Land.

In reference to other Conflicting points of no essential import, as the Case manifestly stands, such as differing views of boundaries, building of houses &c we may safely Conclude to leave them undisturbed still in their former long repose.

It is scarcely necessary to say, that all the Witnesses unite in their testimony Concerning Marini and Holmes having been appointed Guardians of the Claimant in her minority, on the departure of her Father from these Islands.

Under the Circumstances Connecting with this case, where the equitable Right, if it existed as such, has been so long evacuated, that it Could not

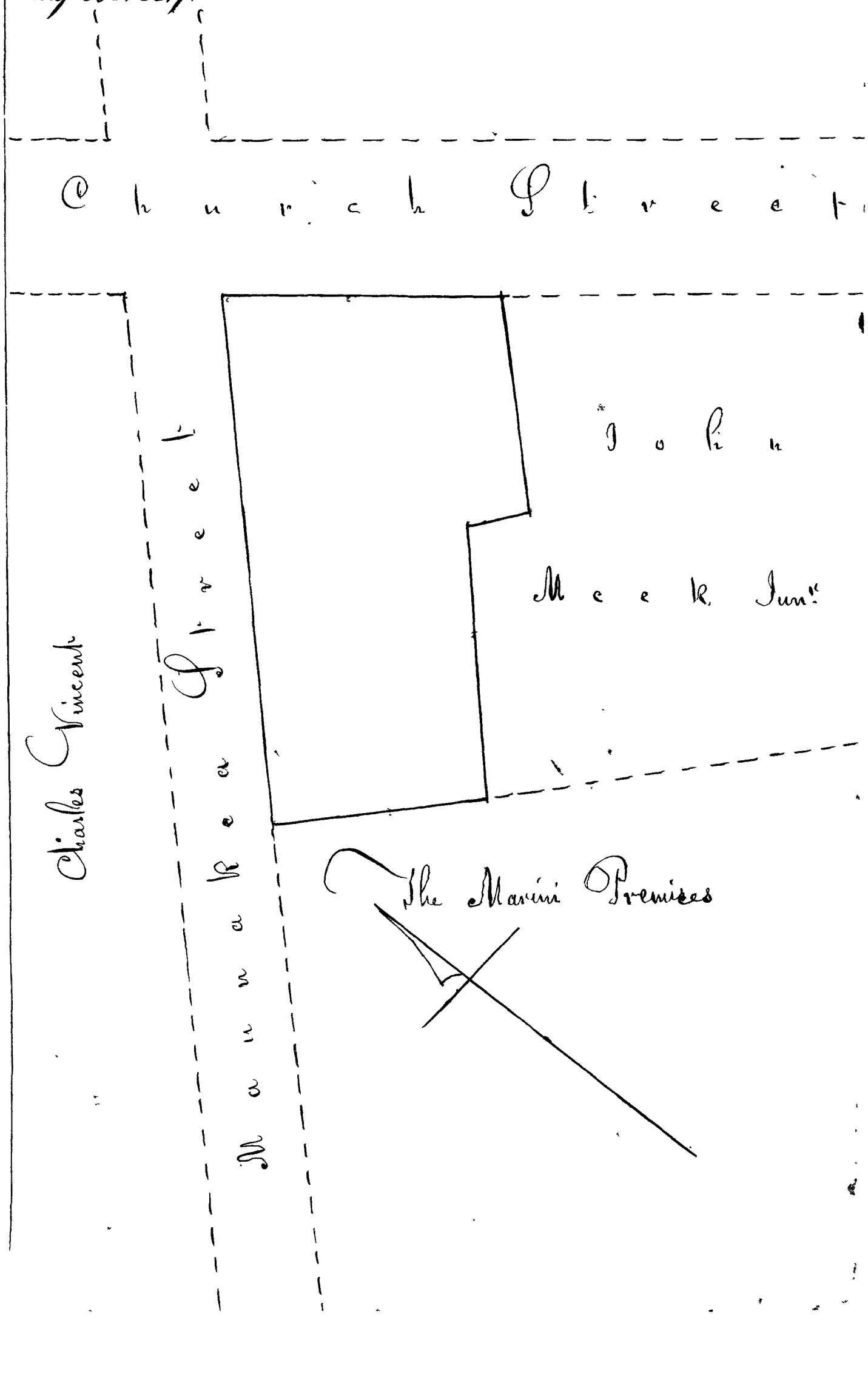
now be regained without risking a greater wrong; and where the lights are so dim and uncertain which are furnished by the best testimony on the subject; as to forbid any intelligent advance on the dubious ground: We unhesitatingly adopt the only legal Course allowed, and prospectively provided for such emergencies in the 5th principle appointed by the Legislative Council of 26 October 1846 for the Government of this Board, Viz:- "When Rights were originally acquired, either in writing or verbally in a lawful manner, and from the bona fide owner, for a valid Consideration, or otherwise, and yet were never occupied, or have not been occupied by such Claimant since 2nd June 1839:- the Board will infer an absence of Title, especially in view of sec: 6. Ch 3. old law."

While we accordingly Confirm the present Claimant in the possession of the portion of land she has Continuously occupied & improved agreable to the first Rule for the Government of our decisions, and Award to her a Freehold estate less than allodial, subject at her discretion to Commutation according to existing laws- We reject the extension of her present boundaries beyond such limits, and described in Survey of T. Metcalfe of the plot Confirmed to the Claimant by the Board as follow: Viz

"Commencing at East Corner of this Lot on Church Street, joining John Meek Jr's dwelling house lot, and running North 37° 45' West 1 Ch. 11 10/12 Fl. along Church Street to Maunakea Street at North Corner of this Lot. Thence South 46° 30' W. 2 Ch. 20½ Fl. along Maunakea Street to the Marini Premises- the West corner of this Lot. Thence South 45° 15' E. 59 5/12 Fl. along the Marini premises to John Meek Jr's dwelling house Lot. Thence North 48° 45' East 1 Ch. 13½ Fl. along J. Meek's fence to W. Corner of Cook house standing on this Lot.

Thence South 45° 30' E. 18 2/12 Ft. along Makai side of Cook house, and to Corner of Wall. Thence N. 43° East. 31 8/12 Ft. to West Corner of Mud house standing on Jn° Meeks premises. Thence N. 44° 15' E 32 8/12 Ft. to place of Commencement. including an area of Fathoms 281-

July 23-1847.



Claim № 91. Keʻpane Montgomery

This Claim is also from the same applicant as the previous one № 90, and Embraces "three small lands ~~situated~~ in this Island: viz Piivai in the valley of Ponaa; Poucla, in the neighborhood of Pearl River; and Kalouahine in Palama; alledged by the Claimant to have belonged formerly to her Father Nathan Winship; to have been granted to him by Kalaimoku for pecuniery Considerations & services rendered; and to have been retained in possession by her mother and relatives for a number of Years after Claimant's Father left the Islands.

The testimony which has been elicited by this Board, in relation to the Lands above named, is of precisely the same desultory Character as that which attached to the former Claim: and partaking of the same Contradictory elements.

The first witness, Umiokalani says Winship had a land named Poucla, and another named Piivai; these two were given to him by Kalaimoku: but the one called Kalouahine, he says, belonged to Winships Brother.

D. Lyons states that Winship had two Lands; but makes Kalouahine one of them; and leaves out of the number, Piivai.

Kaimoku – an important Witness, who lived from his birth with Kalaimoku until his death, as his adopted Son, – attributes Kalouahine to Winships brother in former times; and knows of one Land only then belonging to Nathan Winship – Poucla; "granted by Kalaimoku on account of his regard for him." "He does not know how many Years he lived there, perhaps five: it is not in possession of his assigns. Kahoriho took it, and gave it to Kamehamalu in Connection with the district."

Kapea says - "Winship had a land named Piivai, given him by Kalaimoku, which was taken away in time of Kihoriho: he also had a land, - Pouala."

Kahoovaha deposes to the same, but adds Kaloa-ahine to the number of the Grants: of which he says Winship was dispossessed in the time of Kihoriho.

Poki attributes to Winship two Lands - Pouala and Kaloaahine, and omits Piivai.

The last witness examined by the Board - Malau - says - Winship had three Lands given to him by Kame-hameha and Kalaimoku - as he heard: of which he held possession till he left: it was perhaps in Kihoriho's time. I was not present when the land was given to Winship."

It only remains to be observed by us, that it appears a remarkable circumstance, that out of seven foreign witnesses examined on this occasion; all Contemporaries of the Era of these occurrences; and intimate with Maimi & Winship at the time; only one of them professes any knowledge of such Lands belonging to Winship, or are entirely silent about them, and the one exception - Mr. E. R. Butler says - "I do not know of any other Lands belonging to Winship: but I know of a fish pond up the Nuuana road belonging to him, which Kamehameha gave to him; and I have spent some pleasant hours with Winship in feeding the Fish."

Such is then the nature of the evidence upon which the present Claim is attempted to be sustained: from which we can only deduce with certainty that a temporary possession has been once held of some of the Lands specified in the Claim, and that an early ejectment ensued; which has been passively endured, with out resistance or protest unto the present time: a period of twenty or more years.

It is also to be remarked, that no Evidence has been submitted of any improvements or Cultivation having been made by the Claimants Father or his assigns, on either of the three Lands Claimed: beyond

a fish-pond, for the purposes of simple amusement. on one of them, and that one of very dubious derivation and right.

Had Continued occupation & possession been retained in any plausible way of these Lands, or a portion of them, the slender texture of the existing title to them on other grounds, would not be allowed to affect the possessory right in them; but Constituted as this case manifestly is: — being the relic of what was at that time deemed a legal proceedure in this Kingdom, of arbitrary dispossession for slight or no Causes, but such as originated in the Capricious Changes of irresponsible Chiefs: and which state of things has Continued without remedy until the year 1839 when "protection was declared both for person & property." — We are compelled to resort to the fifth Rule for the Government of this Board, and decidedly reject the demands of the present Claimant in the Case before us.

Board of Commissioners for Land Titles
Adjudication of Claim Nos 90 & 91 Nepaine Montgomery Dr.

To incidental Expences of advertising Claimants and Rent hire &c			1
action &c of Commrs	on 28 July 1846 &c		2
draft of depos.ns rec.d & in Relation to the above Claims		£1	2
Two Citations & 12 Subpoenas issued			7
draft tes.t rec.d & eng.d	on 16 September 1846	£6	4 50
Repeated " " "	22 Sept.r	£11	8 25
" " "	29 "	£24	18
" " "	6 October	£3	2 25
" " "	13 "	£6	4 50
" " "	Mr Metcalfs Bill of Survey & engross.d Survey	£2	6
Hale Kauwila 29 June 1848	Report of Commrs this day rendered in the above Claims		5
	W. L. Lee J. H. Smith. L. Kaauwai	Isaac Li Nawahi	60 50

Claim No 111 Joseph O. Carter.

This is a claim to a house lot situated in Honolulu, and generally known as the "Mansion house"; Claimant bases his claim on the Affidavit of Richard Charlton, which reads as follows:

"I Richard Charlton, at present a resident of Honolulu, Waohoo, Sandwich Islands, hereby make oath, and say, that on or about the 16th day of December, in the Year of our Lord 1833, his Majesty Kamehameha III, the King of these Islands, informed me, that he had sold to Joseph O Carter, a plot of land in Honolulu, and that the said Joseph O. Carter had paid to him the sum for which it was sold, namely one hundred dollars. Subsequently he, (the said Joseph O. Carter) fenced it in, and built thereon a substantial Residence, at present known as the "Mansion House".
Sworn to before me at Honolulu, Signed - Richard Charlton;
this 16th February 1840. Signed
Wm Miller Consul Q.I."

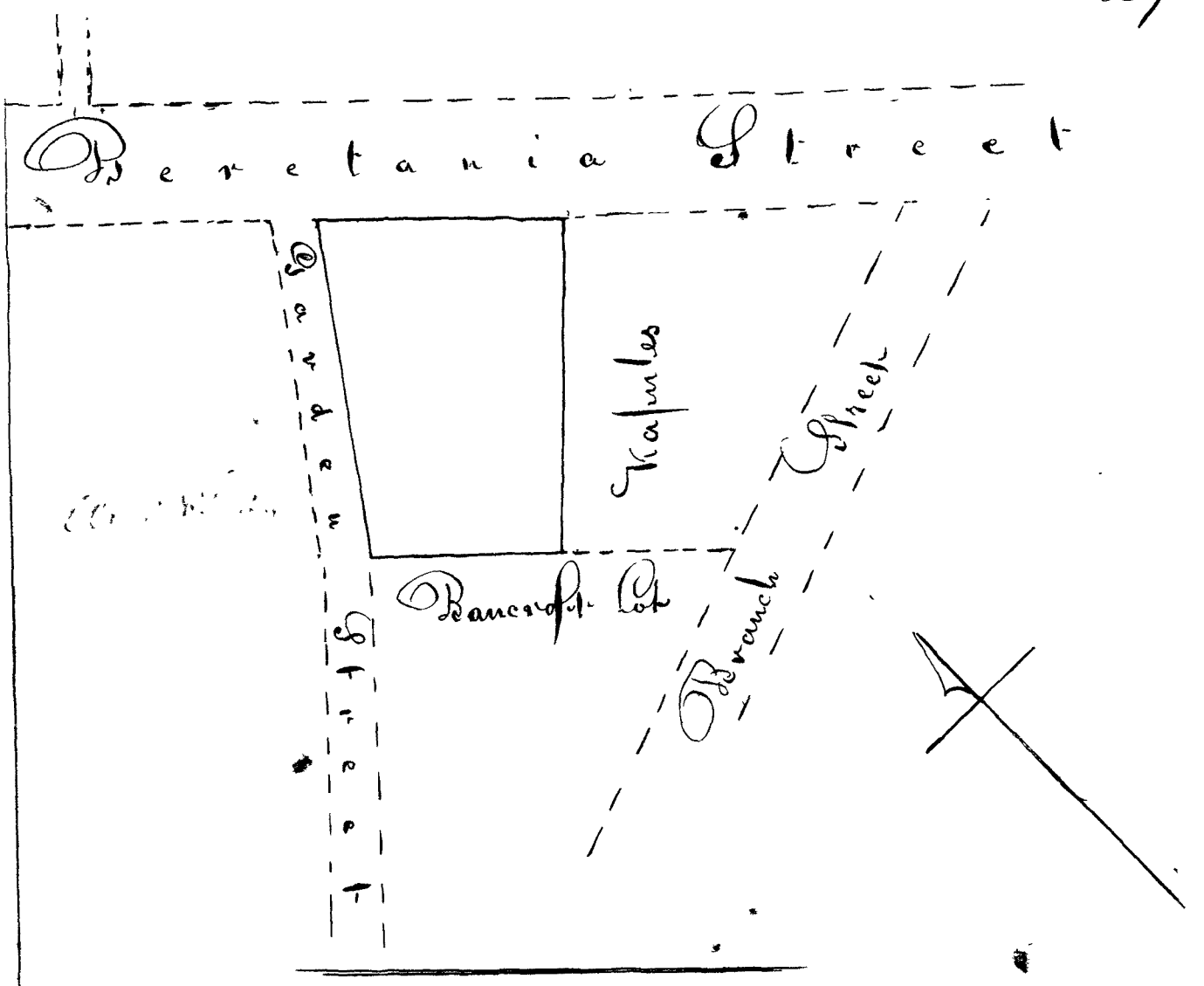
No further evidence was offered in support of this Claim than the above Copy of Richard Charltons affidavit: and the Board, being of the opinion, that such affidavit, was wholly insufficient to base any claim, - deputed Mr Lee to confer with his majesty on the subject, and ascertain what was the nature of his grant to the Claimant, if any; His Majesty stated in the Conference with Mr Lee, that he gave the land to Captain Carter, (the Claimant) to have so long as he remained on the Islands; but that it was expressly agreed, that when Captain Carter left the Islands, the land should return to his majesty, with all the houses, buildings, and other improvements thereon; that an agreement to this effect was drawn up in writing and left with Captain Carter; and that Captain Carter paid him one hundred dollars for the use of this land.

: That in law, Captain Carter had no right to this land, for any longer period than his life, or residence on these Islands; but out of kindness to Capt: Carter, he was willing that the Board should award to him a fee-simple title for this lot, on the same Conditions attending all other fee-simple titles in this Kingdom: Namely, that the same should never pass by sale or descent into the hands of any other persons than Hawaiian subjects

Basing our decision entirely on this act of grace on the part of his Majesty - We do award to Joseph C Carter, the Mansion house lot in Honolulu, to have and to hold in fee-simple, according to the metes and bounds of the annexed Survey made by Theophilus Metcalf Surveyor to the Board on 29 day of December 1847.

"Commencing at Mauka North Corner of this lot at intersection of Garden with Beretania Street, and running South 30° 45' W. 2 Ch. 4 Lk. along Garden St. to the Bancroft lot. Thence South 51° 15' E. 1 Ch. 5 3/12 Lk. along the Bancroft lot to Makai South Corner of this lot. Thence North 44° 15' E. 1 Ch. 44 3/12 Lk. along board fence the boundary between this and lot occupied by Kapule, to slight angle. Thence North 41° East 23 1/2 feet to Beretania Street, the Mauka East Corner of this lot. Thence North 50° West 1 Ch 35 Lk. along Beretania Street to Place of Commencement: including an area of

Fathoms 320 ft. 32 "



Board of Commissioners for Land Claims
Adjudication of Claim № 111 Joseph Carter Esq

To incidental expences of advertising Claimants			
1 the public notice of Commissioners &c		1	
Action, motion &c of Comm.rs in the matter of			
this Claim on 27 October 1846		1	
Citations for this and Cl. № 112		1	
Draft depos.ns reduced in Claims 111 & 112	$	3	50
" Engrossing of two plans relating to the above		1	
Mr Metcalf's Charge of Survey of Cl. 111		5	
Engrossing Copy of Survey	$2	1	
Report of Comm.rs this day rendered in Cl 111		5	
Engrossing Copy of Award in above Claim	$6	3	
Stamp		1	
	$	22	50

William L. Lee
Kate Kauwila — P. Smith
29. June 1848 — Joanali
D. Kaaiwai
C. Kamauu

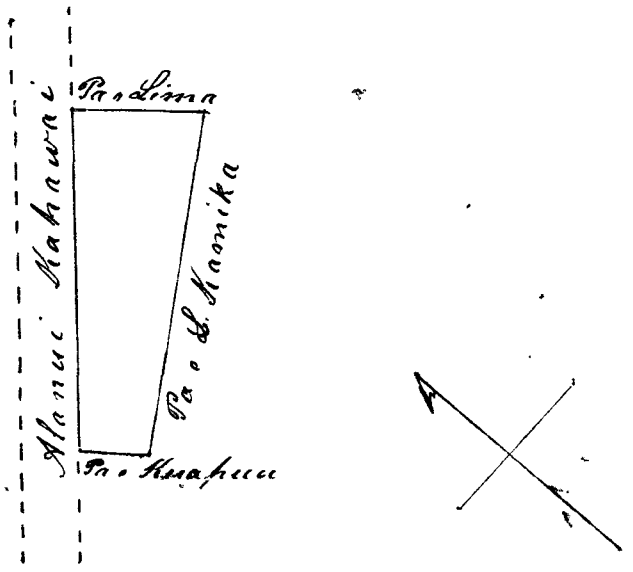
Helu 87 Kuluhinu he wahine (

Ua hoi mai nei oia no kona kuleana, he pahale ma Honolulu kulanakauhale. Ua mapopo he kuleana kahiko, ua loaa ia ia ma ke kuai ana me ka mea nona ia wahi, i ka wa o Kaomi, a mailaila mai a hiki i keia wa kona noho ana.

Nolaila, ua mapopo nona no keia kuleana ana e hoi mai nei, eia na palena o ua wahi la.

Anaia e John Richardson. "E hoomaka ana ma ka aoao hema o ke Alanui kahawai, ma ke kihi komohana Akau hoi o ka pahale o Lima, A moe aku ka aoao mua A. 49° Ko. 1 kaulahao 53 1/2 kapuai, a hiki i ke kihi hikina Akau o ka pahale o Kuapuu, huli A. 33° 30 Ai. 24 1/2 kap. a hiki i ke kihi komohana Akau o ka pahale o L. Kamika, huli A. 54° 30 Ai. 1 kaulahao 60 — kapuai, a hiki i ke kihi komohana Hema o ka pahale o Lima, alaila huli i kahi i hoomaka'i A. 38° 30 Ko. 40 kapuai"

E ia hoi ka ili maloko 106 Anana 11 kapuai



O keia pahale ka makou e hoolo nei no Kuluhinu ma ke ano kuleana nui malalo o ke ano alohi, a ina aku mai oia i ko he Aupuni hapaha, alaila kupono ia ia ka palapala sila nui ano alohi

Penei nae oia e aku mai ai, no ka hoolokolo ana, a me ka hoohalo ana i ka aelo

No ke keena a me he pai ana i ka olelo ma ka Nupepa	1.	00
No ka palapala kii	..	50
No ka hana ana i ka la 16. o Feb. 1846	1..	00
Kope Palapala aina	1..	50
No ke kope ana i ka olelo a na hoike 5 aoao	3..	75
No ke ana ana	2..	50
Kope ana 2 aoao	1..	00
No ka hoohiolo ana i ka olelo	2..	50
	$ 13..	75

William L Lee
Soane di
L. Kaauwai
G Kamanu
D Kanuha

Honolulu
25 July 1848

Helu 89 Aina

No ke koi mai a Aina nona keia wahi kuleana ma Honolulu kulanakauhale, he kuleana nae keia i hoopaapaa nuiia iwaena ona a me A. Paki. Aka, ua'kaka mai nona ke kuleana i ka wa kahiko, a ua hele oia ma kahi e me ka hoomaopopo ole nona keia kuleana. A pela no kekahi poe i olelo mai; ua nui wale na mea nona keia kuleana i ka wa kahiko, aole nae lakou i noho maiia wahi a hiki i keia wa

Nolaila, aole maopopo keia kuleana no lakou a pau ka poe i noho ole ma keia wahi, mamua o ke kauoha o ke Kauwai. Oia ka makou e hoole nei aole o Aina kuleana ma keia mea.

A penei oia e uku mai ai no ka hoakolokolo ana a me ka hoohiolo ana i ka olelo

No ka keena a me he pai ana i ka olelo ma ka Nupepa	1..	00

No ka palapala hii	..	50
No ka hana ana i ka la 25 Sep. 1846	1..	00
No ke kope i ka palapala aina 2 aoao	1..	00
No ke kope ana i ka olelo ana koike 368 huaolelo 4 aoao	3..	00
Pau loa	6..	50

Honolulu
25 July 1848

William L. Lee
Ioanedi
K. Kauwahi
A Kamanu
M Smith

Helu 99 . . Poka (Kaumakapili)

Ua koi mai nei oia no kona kuleana pahale ma Honolulu. Ai ko mahoe o ana ana ua maopopo he kuleana kona ua hookumu ia i ka wa o Kaahumanu i make ai, ua loaa ia ia he wahi e. A i ka wa i hanaiaii na Alanui ma ka 1838 lilo kona wahi ia mea. Nolaila lilo ia ia keia wahi mai ke Kiaaina mai, mamua o ke kau ana o na Kanawai, a ua noho hoi oia ma keia wahi a hiki i keia wa.

Nolaila ua maopopo nona no keia kuleana, penei na palena o ia wahi.

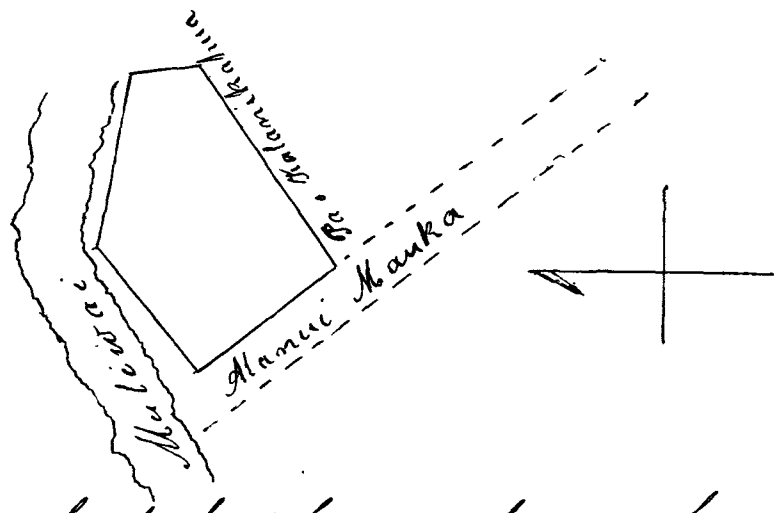
Anaina e Ioane Richardsona

"E hoomaka ana ma ka liki mauka o ke Alanui Mauka, ma ke kihi Komohana, hoi o ka pahale o D. Kalaniakaa, a moe aku ka aoao mua. A. 45° Ak. 1 kaulahao 22 1/2 kapuai, a hiki i kahi kekee o ka pa o D. Kalaniak A. 330° K. 24 1/2 kapuai, a hiki i kahi pali o ka Muliwai, huli A. 81° K. 62 1/2 kapuai, huli A. 54° K. 57 1/2 kap. ua holo mai no keia mau aoao elua ma ka liki pali o

ka Muliwai, a hiki i ka lihi mauka o ke Alanui mauka: alaila, huli i kahi i hoomakaai. A. 39° Ai. 62 E. R. kapuai.

E ia hoi ka ili maloko

1 Kauladhao
34 anana
11 Kapuai } kuca



O keia palahe hoi ka makou e hooko nei no Poka ma ke ano kuleana nui malalo o ke ano alolio, a ina uku mai oia i ko ke Aupuni kapaha, alaila kupono ia ia ka palapala sila nui ano alolio

Penei nae hoi e uku mai ai no ka hookolokolo ana a me ka hoohoio ana i ka olelo.

No ke kena a me ke pai ana i ka olelo ma ka Nuhepa	1.	00
No ka palapala kii	..	50
No ka hana ana i ka la 23 Sep. 1846	1.	00
Kope palapala ana 2 aoao	1.	00
No ke kope ana i ka olelo a na koike 3 aoao	2.	25
No ke ana aina	2.	50
No ke kope ana 2 aoao	1.	00
No ka hoohoio ana i ka olelo	2.	50
Pauku $	11.	75

William L. Lee
Konohiki
L. Kauwaki
C. Kanaina
J. H. Smith

Honolulu
25th July 1848

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Kaumakapili

Helu 211 — Wiliama Stiwini

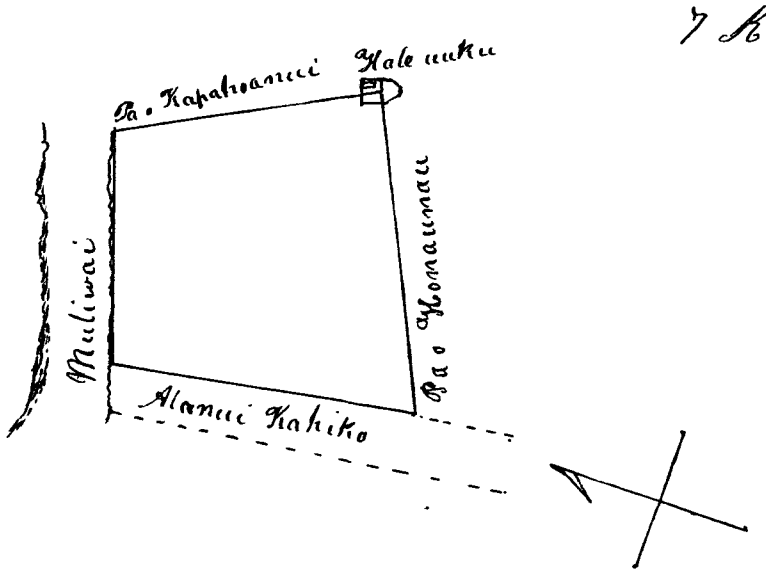
Ua ka mea i koi mai nei, he kuleana kona ma Honolulu ua loaa iaia no Kamehameha III mai, mamua o ke kau ana o na Kanawai kona noho ana ma keia wahi a hiki mai nei i keia wa.

He kuleana ua manaopio maoli no nona keia wahi ana e koi mai nei, a ua akaka loa nona no ia. Eia na palena.

Ana ia e John Richardson

"E hoomaka ana i ke ana ana ma ka aoao mauka o ke Alanui kahiko, ma ke kihi Komohana Akau loi o ka pahale o Honaunau, a holo aku ke aoao mua i ka Ak. 7° Ko. 1 kaulahao 43 kapuai 7 iniha, oia ka aoao makai o keia aina, a hiki i ka lihi muliwai, a malaila aku i ka A. 74° 30' Ai. 1 kaulahao 14 kap. 6 iniha, a hiki i ka pa o Kapahoanui, a malaila aku i ka A. 28° Ai. 1 kaulahao, 22 kap. 5 iniha, oia ka aoao mauka o keia aina, a hiki i kahi hale mukn o Wiliama Stiwini, a malaila aku, huli o kahi i hoomakai i ka A. 63° 30' Ko. 1 kaulahao 49 kapuai 6 iniha, e pili mai ana ia aoao i ka pa o Honaunau

Eia hoi ka ili o keia aina 266 Anana 7 Kapuai } Kula



Oia ka makou i hoohe nei no Wiliama Stiwini ia wahi, he kuleana nui malalo o ke ano alolio. Ina uku mai oia i ko ke Aupuni hapaha, alaila ua kupono iaia ka palapala sila nui ano alolio.

Penei hoi oia e ukuu mai ai no ka hookoloholo ana a me ka hooholo ana i ka olelo

No ke keena a me ke pai ana i ka olelo hoolaha ma ka Nupepa	$ 1..	00
No ka palapala kii	..	50
No ka hana ana i ka la	1..	00
Kope palapala aina 2 aoao	1..	00
No ke kope ana i ka olelo a na hoike 1 Aug 826 4 aoao	3..	00
No ke ana ana	2..	50
Kope ana	1..	00
No ka hooholo ana i ka olelo	2..	50
Paulua	$ 12..	50

Honolulu
25 July 1848

William L. Lee
Iraneli
Z. Kauwai
Kamanu
P. Kuuka

Helu 222 Kahanu Kii 4

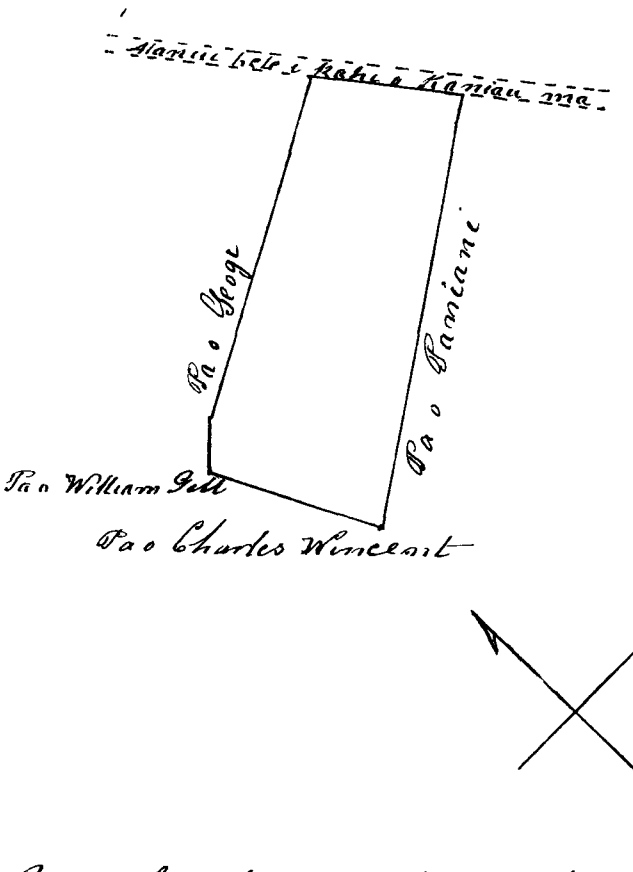
O keia wahi kuleana, ua hoopaa-paa nui ia no ke koi mai o Naopala nona keia wahi i ka wa o Kuakini ka loaa ana ia ia wa wahi nei, aole nae oia i noho ma keia wahi, no ka anea, ua loaa ia ia he wahi okoa, a ua noho malaila a hiki i keia wa. Aka o Komo a me kana wahine o Pekea ka inoa na mea i noho ma keia wahi mai ka wa o Kuakini e noho Kiaaina ana ma Oahu nei a hiki i ka make hope ana o kekahi o lana Pikea 1844, ua hooili no kona kaikunane D. Ii. a no ka pilikia i kekahi manawa, ua hoopiiia i ka Moi ka hoponopono ni keia wahi, a ua hooko ka Moi no Kahanu, oia hoi ke keiki a D. Ii.

Nolaila ua maopopo keia wahi. Penei na palena oia wahi. Anaia e John Richardson

"E hoomaka ana i ke ana ana ma ka aoao ma-
uka o ka pa o Charles Wincent ma ke kihi komo=
hana hoi o ka pa o Paniani, a moe aku ka aoao
nui a i ka A. 53° 30' Ai. 2 kaulahao 21 kapuai 1 ini-
ha, e pili ana ia aoao i ka pa o Paniani, a hiki
i kahi Alanui e hele ai i kahi o Kaniau ma,
mai ke Alanui kahawai mai, a malaila aku i ka
A. 37° 30' K. 53 kapuai 6 iniha, oia hoi ka aoao ma=
uka o keia aina, a hiki i ka pa o Geogi, a ma-
laila aku i ka Aema 60° 30' Ko 1 kaulahao 57 ka=
puai 5 iniha, a huki i ka pa o William Gill, a
malaila aku i ka A. 53° 30 Ko. 18 kapuai, a hiki
i kahi kekee o ka pa o William Gill, a malaila
aku i ka A. 24° 30' Ai. 63 kapuai 5 iniha, hiki
hou i kahi i hoomaka'i ke ana ana.

Eia hoi ka ili o keia aina 23 Anana 38 Kapuai

Ua komo pu iloko o keia ana ana na palapa a
pau, e hoopuni ana i keia aina, koe nae ka
pa o ka aoao e pili ana i ko Geogi pa hale.



Ua hooko makou i keia kuleana no Kaha-
nu, he kuleana nui malalo o ke ano alodio. Ina
aku oia i ko ke Aupuni hapahu, alaila na
kupono ia ia ka palapala Sila nui ano alodio

Penei hoi ova e aku mai no ka hookolo-
kolo a me ka hoohalo ana i ka olelo—

No ka rumi a me ke pai ana i ka olelo hoolaha ma ka Nupepa	1..	00
No ka palapala kii (akolu)	1..	50
No ka hana ana i ka la 30 June 1847	1..	00
Kope palapala aina 3 aoao	1..	50
No ke kope ana i ka olelo a na hoike — 30 June 3 aoao	2..	25
No ke kope ana i ka olelo a na hoike — 25 & 26 Augate 8 aoao	6..	00
No ke ana ana	2..	50
Kope ana	1..	00
No ka hoohalo ana i ka olelo	2.	50
	19	25

Honolulu
25 July 1848

William L. Lee
Loanedi
Z. Kaauwai
C. Varian

Helu 219 Kaukalin (W.) Maunakea

Ae kuleana keia ma Honolulu i hoopaapaa mua ia wahine o Kaukalin a me A. Paki, Na koi mai A. Paki noma na wahi a pau loa ma Kaumakapili, no ka noho ana o Kaleikiu mai a Nuuanu mai, oia koi ka makuahane o Konia. Aka, i ka wa o Kamehameha II, na nui wale ka poe e noho ana ma keia mau wahi, A ma ko makou nana ana, ua manaopo ko Kaukalin kuleana e koi mai nei, no ka mea, ua loa a kahiko keia wahi i kona kane i ka wa kualaau Ala o ka Moi ma Wavala oia ka makahiki 1829, a noho no ua Kaukalin nei ma ua wahi nei a hiki i keia wa

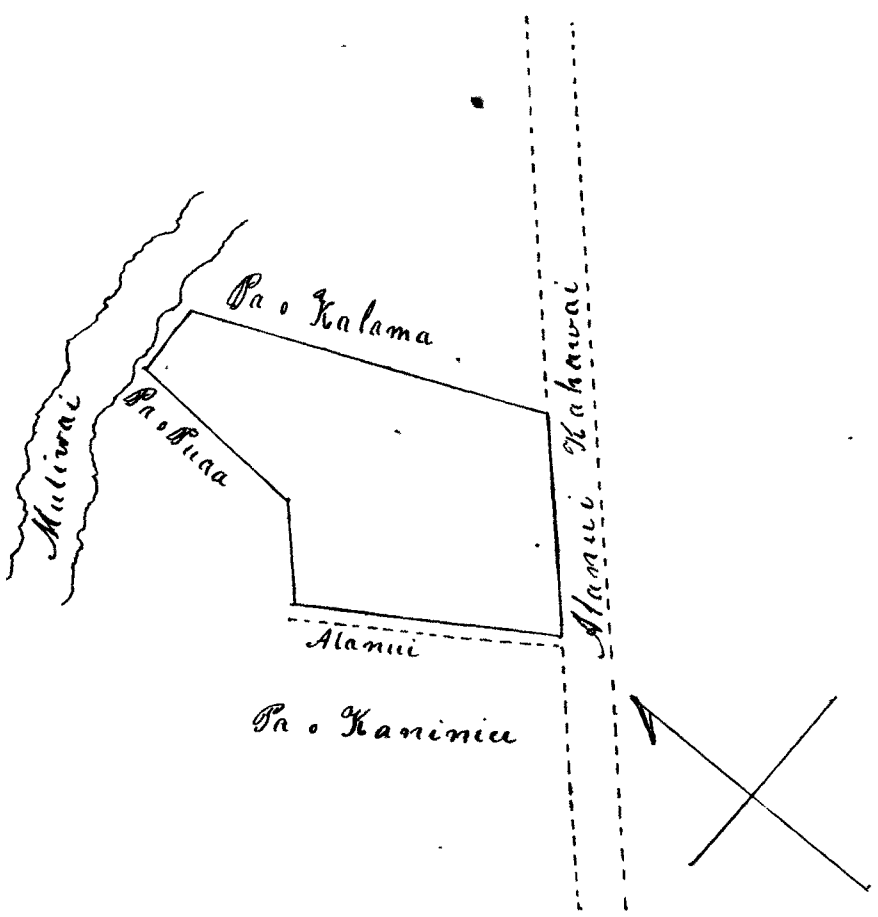
Noia mea ua akaka loa nona no keia wahi ana e koi mai nei. Eia na palena o ia wahi,

Anaia e John Richardson.

"E hoomaka ana ma ka aoao Akau o ke Alanui

Kahawai ma ke kihi hikina hema mai hoi o ka
pa hale o Kaniniu, a moe aku ka aoao mua —
A 18° 30 Hi. 1 kaulahao 13 2/12 kapuai, a hiki i ke
kihi komohana hema o ka pahale, i Kalama-
huli A 23° 30' Ko. 1 kaulahao 62 8/12 kapuai, a hiki
i ka lihi mukiwai, huli i ke komohana ponoi,
moe aku no keia aoao ma ka lihi mukiwai, a
hala 27 kapuai, huli A. 6° 30' Ko. 1 kaulahao 1 4/12 kap.
a hiki i ke kihi hikina o ka pahale o Puaa, huli —
A. 51° Ko. 34 4/12 kapuai, a hiki i ka lihi mauka o
kahi alanui olelo e hele ai i kahi o Puaa ma,
mai ke Alanui kahawai mai; alaila, huli i kahi
i komakai A. 31° Hi. 1 kaulahao 39 kapuai.

Eia hoi ka ili maloko 2 kaulahao
40 anana
12 kapuai } Kuia



Oia hoi ka makou e hoohe nei no Kaukaliu
he kuleana nui malalo o ke ano alelo, ina uku
mai oia i ko ke Aupuni kapaha, alaila kupono
iaia ka palapala Sila nui ano alelo.

Penei hoi oia e uku mai ai no ka hookolo=
kolo ana a me ka hookolo ana i ka olelo

No ke kena a me ke pai ana i ka
olelo hoolaha ma ka Nupepa } $ 1.. | 00
No ka palapala kii | 50

No ka hana ana i ka la 26 Aug. a me ka la 8 o Sep. 1847	1..	00
No ke kope palapala aina 2 aoao	1..	00
No ke kope ana i ka olelo a na hoike 3 aoao	2..	25
No ke ana ana	2..	50
Kope ana 2 aoao	1..	00
No ka hoohalo ana i ka olelo	2..	50
Pauloa $	11..	75

Honolulu
28 July 1848

William L. Lee
Komisi
Z. Kauiwai
P. Kolmith

Helu 265 Kaaha a me Pahau

Hui 4p

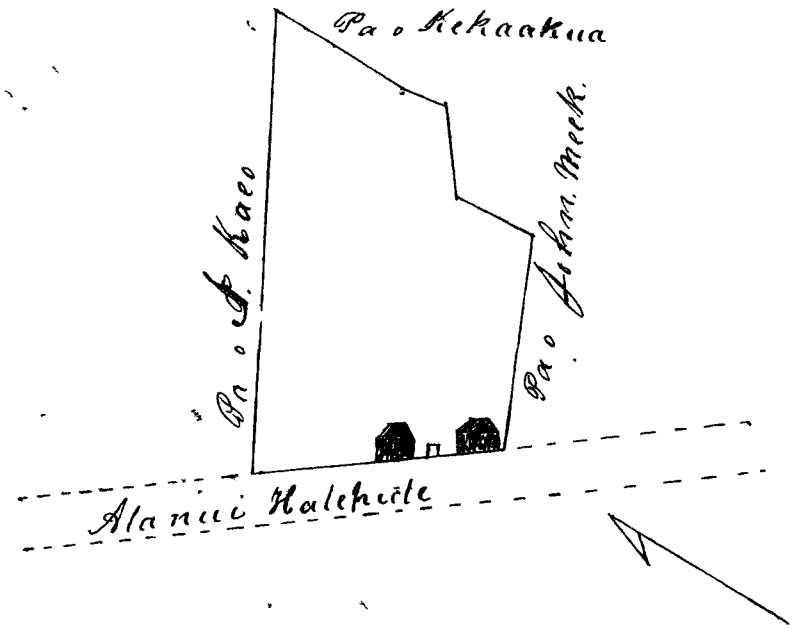
O ko lana kuliana e koi mai nei ia no ma Honolulu he wahi kahiko no, mai ka wa mai o Kamehameha II ko lana noho ana ma keia wahi. Ua kukulu i na hale a hana no i pa i kela manawa, aia no ia lana ia wahi a hiki mai nei i keia wa, ua noho no nae lana ma kauwahi e ae, o lana no nae ka mea nona na ku leana nei. No ko lana keakea oleia, ua maopopo ia makou no lana no keia wahi a lana e koi mai nei.

Anaia e John Richardson

"E hoomaka ana ma ka lihi mauka o ke Alanui Kalepule, ma ke kihi komohana o ka pa hale o John Meek, ma ke kihi hema koi o kahi kalepo uuku e pili ana ma ke kihi hema o keia pa, a moe aku ka aoao mua A. 37° 30' Ko. 1 kaulahao 19 2/12 kap. a hiki i ke kihi hema o ka pa hale o P. Kaeo; huli A. 61° 45 Hi. 2 kaulahao 31 kap. a hiki i ke kihi hikina o ka pahale o P. Kaeo; huli A 1° 15' Ko. 51 6/12 kap. a hiki i kahi kanahua o keia pa, e pili ana no i ka pa o Kekaalua, huli A. 7° 45' Hi 13 2/12 kap. a hiki i ke kihi hema o ka pa o Kekaaluaa,

ma ka aoao Akau hoi o ka pahale o John Meek. huli A. 55° 30' Ko. 39 8/12 kap. a hiki i kahi kekee o ka pa o John Meek. huli A. 7° Ai 26 5/12 kap. a hiki kona i kekahi wahi kekee o ka pa o John Meek. alaila huli i kahi i koomakaii A. 64° 45° Ko. 1 kakalahao 15 12 kapuai

Eia hoi ka ili maloko 2 kanalahao
76 Anana
1 Kapuai



O keia kuleana hoi ka makou e hooko nei no Kaaha lana o Pahau, he kuleana nui ko lana malalo o ke ano alolio, a ina e ukuu mai lana e ko ke Aupuni kapaha, alaila na kupaa ia lana ka palapala iloa nui ano alolio

Penei nae hoi lana e ukuu mai ai no ka hoohololo ana a me ka hoohololo ana i ka olelo

No ke keena a me ke pai ana i ka olelo hoolaha ma ka Nupepa	$ 1..	00
No ka palapala kii		50
No ka hana ana i ka la 26 o Sep 1847	1..	00
Kope palapala aina 2 aoao	1..	00
No ke kope ana i ka olelo a na hoike 2 aoao	1..	50
No ke ana ana	2.	50
Kope ana 2 aoao	1..	00
No ka hoohololo ana i ka olelo	2..	50
Pauloa	$ 11..	00

W. L. Lee
Honolulu Loanedi
25 July 1848 L. Kaunuai
J. Parmele

B. Smith)

Claim N.° 62 John Rives and George P. Rives.

This is a claim to a House Lot situated in Honolulu. From the Testimony taken in this claim, it appears, that the Lot in qdestion was a portion of Land possessed by the Father of the Claimants - John Rives - who left the Islands with King Kamehameha II for England in the Year 1824: that John Rives, before his departure, placed the Claimants, then Young Children, under the Guardianship of their Aunt Keakuaimuraina, who was to have this Lot in Charge for the Claimants: that the Aunt lived on the Lot with the Children, until the Year 1843; when She exchanged this Lot with Ahu - alias Ahpong - a Chinaman, for another Lot on Water Street; and that the Chinaman then took possession of the Lot and has occupied it down to the present time: that the Claimants never assented to this exchange of Lots; that they have never occupied the Lot on Water Street for which this was exchanged; but have lived with their Sister Naahou, on another Lot, ever since the exchange took place - the Lot on Water Street, during all this time, Remaining Waste, and unoccupied by either Ahu or the Claimants.

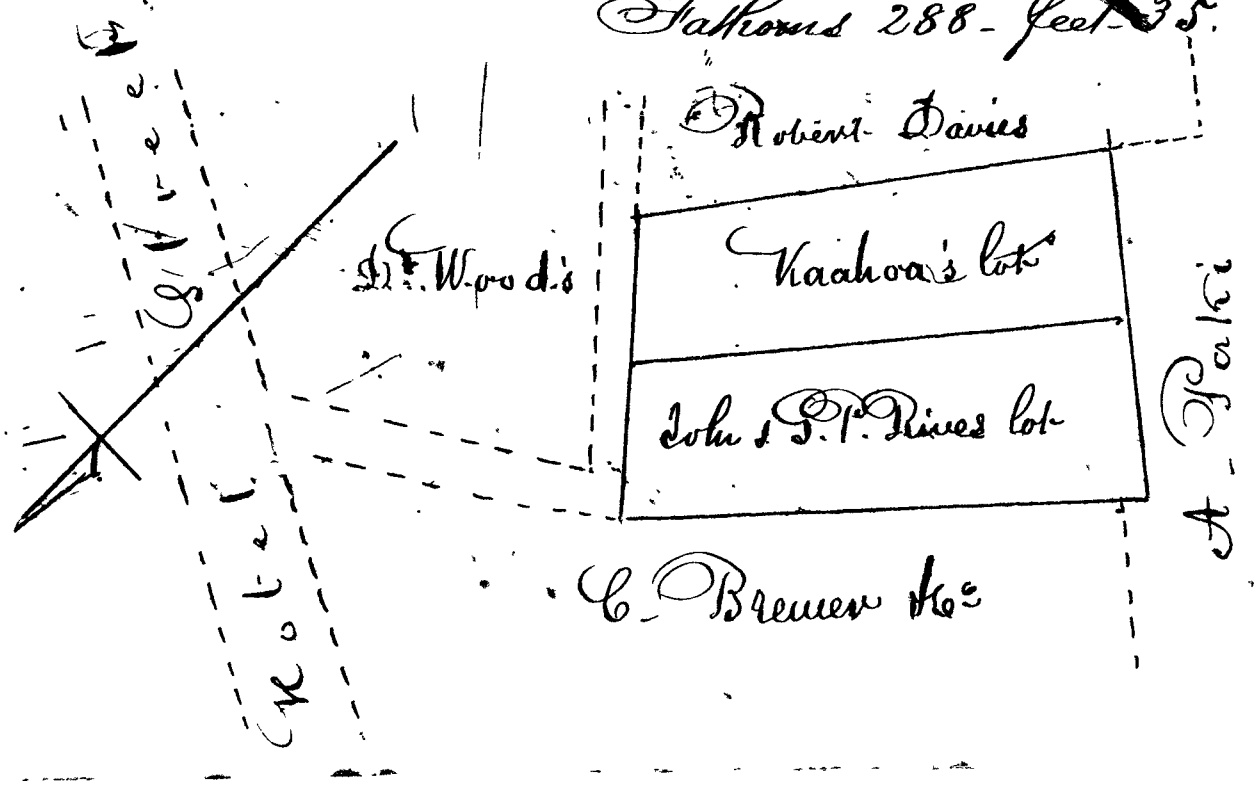
Ahu, alias Ahpong, insisting upon the validity of the Exchange, has put in a Counter Claim for this Lot (N.° 6506).

These Counter Claims, if the Counter Claimants had strenuously insisted upon their rights, would have raised a somewhat difficult question for the Board to decide, when we take into view the ancient usages and Customs relating to the rights of Guardians; but the Board have been spared this difficulty by the Parties entering into a Mutual agreement on 21.st of June 1848, by which agreement, Ahu, alias Ahpong, relinquishes all claim to the disputed Lot; and the Claimants agree

to build a good and substantial adobie wall around the lot of Ahu, alias Ahfong, on Water Street.

These Counter Claims being thus amicably settled by the written agreement of the Parties on the 21st day of June A.D. 1848:- We do therefore award to the Claimants, John Rives, and George P. Rives, a Freehold title less than allodial, in this lot, according to the metes and bounds of the annexed Survey of Theophilus Metcalf, which may be converted into a fee-simple by paying the Commutation prescribed by law.

"Commencing at Mauka North Corner this lot on Makai side of Lane (leading to Hotel St.) joining C. Brewer & Co's premises and running South 47° 15' W. 47-2 Ft. along C. Brewer & Co's to East-Corner of Store house. Thence South 48° W. 61 1/12 Ft. to South Corner of Store house: Thence South 42° 45' W. 1 Ch. 3 4/12 Ft. to Makai West Corner of this lot: Thence South 46° 15' E. 68 23/12 Ft. along A. Pahis (Egypt) Premises to Middle of wall between this and lot occupied by Kaahou:- Thence North 43° 30' E. 2 Ch. 40 3/12 Ft. along middle of wall separating this from Kaahou's lot, to Lane at East Corner this:- Thence North 40° 30' W. 54 3/12 Ft. along Lane to Place of Commencement:- including an area of Fathoms 288- feet 35."



Board of Commissioners for Land Claims.
Adjudication of Claim N°62. John Rives & George P. Rives Dr.

To incidental expences of advertising Claimants &c		1	
action &c. of Commissioners in the matter of			
this claim on 28th of July 1846		1	
" Draft of deposition reduced in Notation to this			
Claim	fol 5	2	50
" Citation			50
" Draft Testimony reduced & engrossed on			
the 5th & 11th of August 1846	fol 2	1	50
" do — do — on 15th of May 1848	fol 4	3	
" Citation			50
" Draft Testimony red.d & Eng.d on 21st June	fol 3	2	25
Moiety of Charge by S. Metcalf for Joint Survey		3	50
Engrossing Copy of Survey	fol 4	2	
Report of Commissioners this day rendered			
on the above Claim		5	
			—
	William L. Lee	#	22 75
Hale Nauwela	Francis		
	D. Haaheo		
25 July 1848	C. Kanaina		
	W. Smith		3 50
Remitted in item of Survey copy - 1			
in Report 2.50		#	19 25
# 3.50			

Claim N°62 B. Kaahoa. ✓

(See preceding Claim)

This is a claim to a house lot in Honolulu, lying between the lot awarded to John Rives & George P. Rives in Claim N°62, and the lot now in possession of Robert G. Davies.

This lot is a portion of land which was formerly in possession of John Rives, the Father of Claimant, and it appears, that after the departure of Rives for England in 1824, that the Claimant lived for some Years on this Land, which was then undivided

from the Lot awarded to John Ives & J. P. Ives in Cl. 62 in Company with her Brothers, the Claimants in 62 and their Guardian Kekuaimurama. That afterwards, and previous to the Year 1839, this Claimant became, according to the Custom of those days, the Wife of Henry Pierce; and that Pierce went to his Majesty, and procured this Lot for his Wife (the Claimant) alone; and that She has improved & lived on the place in quietness and peace from that time down to the present.

The brothers of the Claimant make no claim whatever to this Land; but have stated to the Board, that the Lot belongs to her alone.

We do therefore award to the Claimant Kaahou a Freehold title less than allodial in said Lot, according to the metes and bounds of the annexed Survey Made by T. Metcalf; which Freehold title, the Claimant may Convert into a fee-simple by paying the Commutation prescribed by Law.

"Commencing at Mauka East Corner of this on Makai side of Lane joining R. Davis' Lot and running. North 40° 30' W. 52 3/12 ft. along Lane to Middle of Wall between this and J. & G. P. Ives Lot. thence South 43° 30' W. 2 Ch. 40 3/12 ft. along Middle of Wall seperating this from J & J. P. Ives Lot to R. Pakis' Lot at West Corner of this; thence South 46° 15' E. 62 4/12 ft along R. Pakis' to Rob! Davies Lot at South Corner of this. thence North 41° 15' E 2 Ch. 35 ft. along Rob! Davies Lot to place of Commencement. including an area of Fathoms 272 Feet 34.

For diagram see joint plan in Cl. 62.

Board of Commissioners for Land Claims
Adjudication of C. N° 62 B. Kaahou — Dr

To incidental expences of advertising Claimants &c		1	
" Action fee in the matter of her Claim on 28 July 1846		1	
" draft deposition reduced & relating to her interest in the Claim	Fol 2	1	
" Citation			50
" draft testimony reduced & engd on 5 Aug & 11th 1846		1	50
" Moiety of S. Metcalfs Charge for joint Survey	Proportion of 2	3	50
" Engrossing Copy of Survey	Fol 2	1	
" Report of Commissioners this day rendered in the above Claim.		5	
		14	50

W. L. Lee
Shāsadi
D. Kaauwai
C. Kamanu
R. Smith

Hale Kauwila
25 July 1848

Claim N° 76 William Shaw.

This is a claim to four farms or pieces of land on the Island of Maui; and is based upon a certain written agreement, made between the Claimant and Koapili Wahine, late Governess of Maui; with the approbation of his present Majesty and Kekauluohi, the late Premier, on the 17th day of December 1840: said agreement reads as follows: —

"I, Koapili Wahine hereby Confirm for ever to William Shaw, and his Hawaiian-born heirs, a certain Farm in Honokawai, by the name of Kaenamii, which Farm has a fishing ground connected with it."

"I also give him another Farm by the name of Poinui, which extends up into the Mountains"

"I also further give to the said Shaw, and his heirs, a certain Farm in Waikapu by the name of

Waiolimu."

"Said Lands, with all their Privileges are Confirmed Forever, to the said Shaw, and his Hawaiian born heirs:- the Farms are held, however, in every respect, subject to the laws of the Kingdom."

"The said Shaw, moreover, agrees on his part, that a certain Farm, now possessed by him at Koolau, named Keahuapauaela, shall, at his death, revert to the former owners, or their heirs, and shall not descend to the heirs of the said Shaw."

"All the said Lands are on the Island of Maui."

In testimony of our mutual agreement to the above, We have Hereunto subscribed our name this 17th. day of December 1840 - at Lahaina Maui.

Witness
William Richards.

Signed Hoapili Wahine
William + Shaw "

We Hereby give our approbation to the foregoing

Witness
William Richards.

Seal

Signed
Kamehameha III
Kekauluohi "

The Claimants title is made clear by the above agreement, and we do therefore, Confirm and Award to the Claimant, William Shaw, the Lands "Haenanaui", "Loimui", and "Waiolimu," on the Island of Maui, according to the annexed Surveys of Theophilus Metcalf Esquire, to have and to hold, to him, and his hawaiian-born heirs for ever.

And we do Further Confirm and Award to the Claimant William Shaw, the Land in Koolau on the Island of Maui, known by the name of "Keahuapauaela," according to the annexed Survey of T. Metcalf Esq.r to have and to hold during his Natural life.

Survey of No 1. "Haenanui"

"Survey of Haainanui (Haenanui) for Wm Shaw in Kanapali Maui." "Commencing at Rock, Mauka and near junction of Kumukahi & Haainaiki Valleys & point of Comm^t. of Survey of Peveers Kumukahi Land) and running N. 76° W. 9 ¾ Ch. to path Crossing gulches the S. E. Corner of Peveers Kula & Kalo land - Waikele - Thence N. 86° 30' W. 6 Ch. 26 Lk. along Peveers land to angle - Thence N. 80° 30' W. 10 Ch. 37 Lk. along Ridge to point within 5 Ch. of Peveers S. W. Corner - Thence S. 5° E. 9 Ch. 52 ½ Lk. across Gulch along Kapili to land called Ahupuaa - Thence S. 73° 30' E. 9 Ch. 59 ½ Lk. along Ahupuaa to rock near house - Thence S. 66° E. 2 Ch. 13 Lk. to Rock - angle - Thence S. 20° W. 1 Ch 60 ½ Lk. along Ahupuaa Rock - Thence S. 11° 30 W. 8 ¾ Ch. along Ahupuaa stake - angle - Thence S. 74° E. 10 Ch. 12 Lk. along Ahupuaa (2nd), and Loinui to Rock - angle - Thence N. 29° E. 1 ½ Ch. to Lk. - Thence N. 36° 30 E. 11 ½ Ch to long stone (buried) at S. edge of Haainanui valley Thence S. 71 E. 180 Ch. Cross^g intersection of Haainanui & Palaha Valleys, following along up the brink of S. side of Haainanui Valley, leaving out Puu Kahuwai to large thin bushy topped Ohia standing near Waikiki Valley (the same that leads around into Honokawai Valley & by Peveers Kumukahi Land) thence Crossing Haainanui Valley and along makai side of Waikiki Valley to Ohia tree 33 Ch. standing on boundary line between this & Peveers Kumukahi land - Thence N. 78° 30 W. 117 Ch. along down boundary line between this & Peveers to stake on narrow point of Ridge between Haainanui Haainaiki Valleys opposite Puu Kahuwai - Thence S. 75° 45' W. 1 Ch 20 Lk. along between this and Peveers to angle - Thence N. 73° 30 W. 9 Ch. 39 ½ Lk. along middle of Ridge to angle - Thence N. 72° 45' W. 3 Ch. 62 ½ Lk. to angle - Thence N. 76° 45' W. 11 Ch. 26 Lk. to angle - Thence N. 70° 15' W. 9 Ch. 23 Lk. to rock near Makai junction of Haainanui and Kumukahi Valleys. Thence N. 23° 30' W. 10 Ch. across Kumakahi Valley to place of Commenc^t. Including an area of about

320 / 310 90 / 32 80 / 3 70 / 10 / 675.

Acres 320

Continued on next Page.

From preceding Page.

"Survey of Haainanui dwelling house lot."

"Commencing at Eleio - a large Rock on E. side of Kekaa near high water mark and running S. 50° 30' E. 19 3/4 Ch across sand Beach & road to Rock the extreme S. point of this land - thence N 1/2° W. 3 ch 6 1/2 ft. along mauka side of Road to large Rock - thence N. 2° 1/2 E. 59 Ch along parallel with Road between this and a land called Lahaina to large Rock (40 ft.) makai of ending of stone wall little East and mauka of Cocoa-nut trees - thence N. 4° 30' W 14 ch. 12 ft. along & across stone wall to point - thence N 12° W. 8 Ch. 39 1/2 ft. to stone near ditch - thence N. 6. E. 7 Ch. 36 ft. along Ahupuaa to point by new wall - thence N. 47° E. 6 1/2 ch. along E. side of new wall point: thence N. 69° 30' E. 1 Ch. 45 ft. along wall point - thence N 89° 30' E. 5 Ch. 41 1/2 ft. to Rock - thence S. 80° 30' E. 11 Ch 29 1/2 ft. along old Road and between this land and Ahupuaa to Rock - thence S. 75° E. 20 Ch. 46 ft. along by S. Edge of Ravine to angle P.t - thence S. 71° 15' E. 12 ch. 43 ft. along Gulch across Road to P.t - thence S. 79° E. 10 ch. 62 1/2 ft. across intersection of two Gulches to point on high ground between - thence S. 81° 30' E. 10 ch. to P.t 1.st from left Gulch - thence S. 77° 15' E. 19 1/2 Ch. along Ahupuaa (still) to old Road - thence N. 84° E. 13 Ch. 26 ft. along between this and Lahaina to angle - thence N. 16° W. 9 Ch. 6 1/2 ft. across Gulch to path by new Road - thence S. 88° 45' E. 16 Ch. 52 1/2 ft. to Rock S. W. corner of Pohakihi (Pavees) thence N. 14° 30' W. 9 3/4 Ch. along between this and Pohakihi to new Road - Rock - thence N. 87° W along new Road and Ahupuaa and Kapili to point - thence S. 89° 30' W. 11 1/2 Ch. along Road and Ahupuaa to Haainaiki - thence S. 3° W. 9 1/2 Ch. to old Road Stone thence N. 72° W. 7 Ch. 60 ft. along old Road - angle - thence N. 48° 30 W. 9 Ch. - to new Road Haainaiki thence N. 81° 45' W. 16 3/4 Ch. along Road Haainaiki point - thence N. 76° 30 W. 21 Ch. along Road point - thence N. 78° 45 W. 16 1/2 Ch. along new Road to old -

thence S. 86° W. 1½ Ch. to new stone wall and ditch - thence S. 79° 15' W. 13 Ch. along down Pali to pile of stones on flat - thence S. 78° 45' W. 21 Ch. along old stone wall of Kaainaiki to stone mauka (2nd pahu) of mud house - and Road along beach - thence N. 4° 30' W. 10 ch. 30 ft. along mauka side of houses parallel with Sea - to water Course - thence N. 5° E. 12½ Ch. to point - between 2 Rocks S. of houses - thence N 30° 30' W. 16 Ch. 7 ft. across Road and part of dwelling house lot claimed by J. A. Prevees (Vic dotted line on map) to mouth of Honokawai River - then following along Course of the Sea to place of Comm^t. Including an area of -

Acres 317

deducting the part claimed by Prevees 6 1/10 acres leaves 310 9/10 acres
(as conceded to Prevees by W. Shaw & notified to L. Commission. under date 15 May 1847 Lahaina Maui by J. West Dept. & H. Smith Sec.)

Interlined 17 May 1849 by Sec. Hds

" Survey of that Part of Kaainaiki joining and mauka of Pohakiki belong^g to Prevees.

" Commencing at pile of stones at N. E. Corner of Pohakiki and running S. 3° 30' W. 5 ch. 43 ft. along Pohakiki to angle - thence S. 6° 45' W. 2 Ch. 29 ft. to 2 Rocks S. E. Corner of Pohakiki, old Road - thence S. 68° 15' E. 5 ch. 13 ft. along old Road to stone - thence S. 1° 45' E. 7 ch. 26 ft. across Gulch along Kaainaiki to old stone wall at Kapili - thence S. 87° E. 6 ch 59½ ft. along old Wall (Stone) and across center of Bullock Pen to Rock angle - thence N. 6° 30' W. 7 Ch 43 ft. along Ahupua across and by bottom of Gulch to stone - thence N. 75° 15' E 6½ Ch. along bottom Ravine, stone - thence S. 88° E. 6 Ch. 12 ft. along bottom Ravine, Rock - thence S. 67° 15' E. 9 Ch. 39½ ft. along bottom Ravine, Rock - thence N. 3° 30' E. 10 Ch. 43 ft. along ahupua to Road and Rock - thence N. 86° W. 33½ Ch. along Road to place of Commencement - Including an area of -

Acres 32 8/10

" Survey of the Kula and Kalo land belonging to Kaainaiki joining J. A Prevees.

" Commencing at Point in path crossing Gulches on Ridge. being S. E. Corner of Preveers Kula and Kalo ground (Waikale) and running S. 76° E. 5 Ch. 24½ ft. along by

of Ridge to P.E. corner - thence N. 10° 45' E. 6 ch 13 ft. along Popohaku to stone angle - thence N. 58° 30' E. 3 ch. 20 ft. to edge of Honokawai Pali - thence N 17° E. 4 ch. 53 ft. down Pali and across Honokawai River to Rock, corner of Kalo patch beside River - thence N. 56° ½ W. 1 ch. to Rock - thence along taro patch N 82 W. 1 Ch 25 ft. to Rock - thence N. 57° 15' W. 1 Ch. 36 ft. to rock. thence N. 84° 30 W. 2 Ch. 8 ft. across River to Rock. thence N 85° W. ½ ch. along Honokawai land to angle - thence N. 42° W. 1 Ch. 10 ft. to Anai's land. thence S. 81. ½ W. 32½ ft. along Anai's to Preveer's - thence S. 45° W. 31 ½ ft. along Preveers to rock at foot of Pali. thence S. 29° 30' W. 3 ch. 56 ft. up Pali along Preveer's to edge of Pali - then S. 1° 30' W. 6 Ch 25 ft. along Preveers to point - thence S. 4° 45' W. 3 Ch. 28 ft. to place of Comm't - includ'g. an area of -

Acres 9 7/10

Survey of N° 2 Loinui in Honokawai Valley.

"Kalo land Maukalua"

"Commencing at Rock on N. side of River joining land called Mommuku and Running S. up Pali to Edge - then from P.t of Com.t run N. 39 ½ E. 64 ft. along Momuku on N. side of River to Rock. thence N. 56° E. 2 Ch 52 ft along left side of River to P.t Pali - thence S. 72° 30' E. 3 Ch. 10 ft along River pass Kukui tree to Rock - thence S. 66° E. 1 ch. 26 ft. along and across River P.t - thence N. 88° 30'. E. 4 ch. 59 ft. to large Kukui tree left side of River at Momuku - thence S. 31° E. 4 ch. along River to Rock - dam end of Kalo ground - includ'g. about

2 Acres of Kalo ground.

Note. This Loinui is said to contain all the S. Pali of Honokawai Valley - extending to the heads of the Mountain joining Waihee, and also all of Honokawai River - From its source to its mouth - this could not be conveniently measured.

Jan.y 2. 1847.

See Diagrams for these several Surveys in Page 564

Survey of N°3. "Waiolimu" in Waikapu.

Part 1

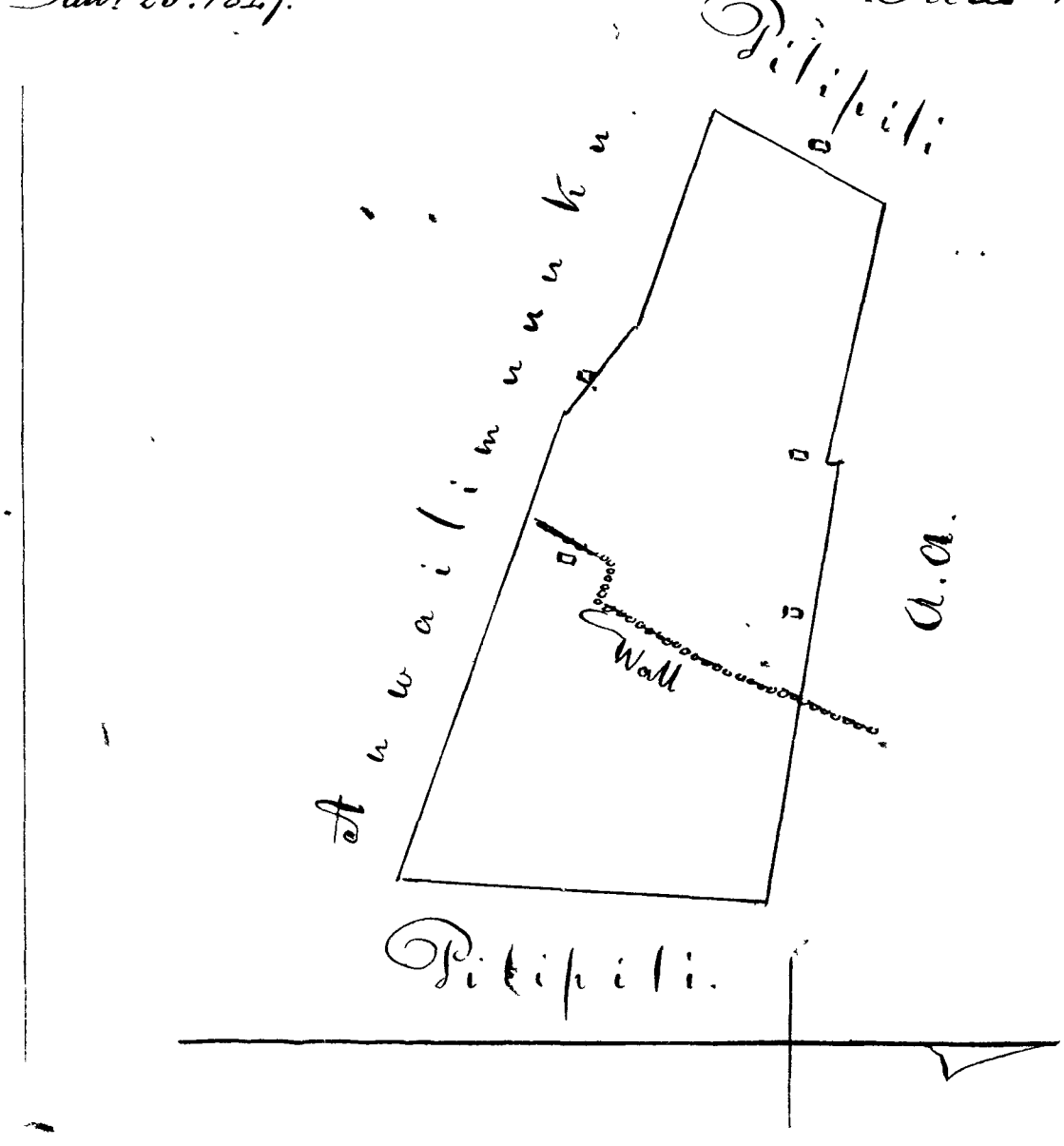
Called in the survey Auwailimuuui.

"Commencing at stone wall (at getting over place) by Katopatch, little below Lauhata tree and running North 80° W. 5 Ch. along between this and a land Called, "Aa, to angle - then offset 12 Lks to left - Thence North 77° 15' W. 6 Ch. 3½ Lks. along Aa to N. W. corner of this land joining Pilipili - Thence S. 26° 30' W. 4 Ch. 20 Lks. along line between this and Pilipili to Auwai - limuuiku - Thence South 71° E. 5 Ch. 3½ Lks. along Auwailimuuiku to stone angle - Thence S. 52° E. 2 Ch. 36½ Lks. along post corner of house to edge of Katopatch Thence S. 70° ½ E. 10 Ch. 61 ½ Lks. down across wall and along old wall to Pilipili - Thence N. 4° E. 7 Ch. 59½ Lks. along Aupuni wall between this land and Pilipili to Aa - Thence N. 78° 30' W. 4 Ch. 51½ Lks. to place of Commencement. including an area of

Acres 10 $\frac{34}{100}$

Jan'y 25. 1847.

3 42
13 76



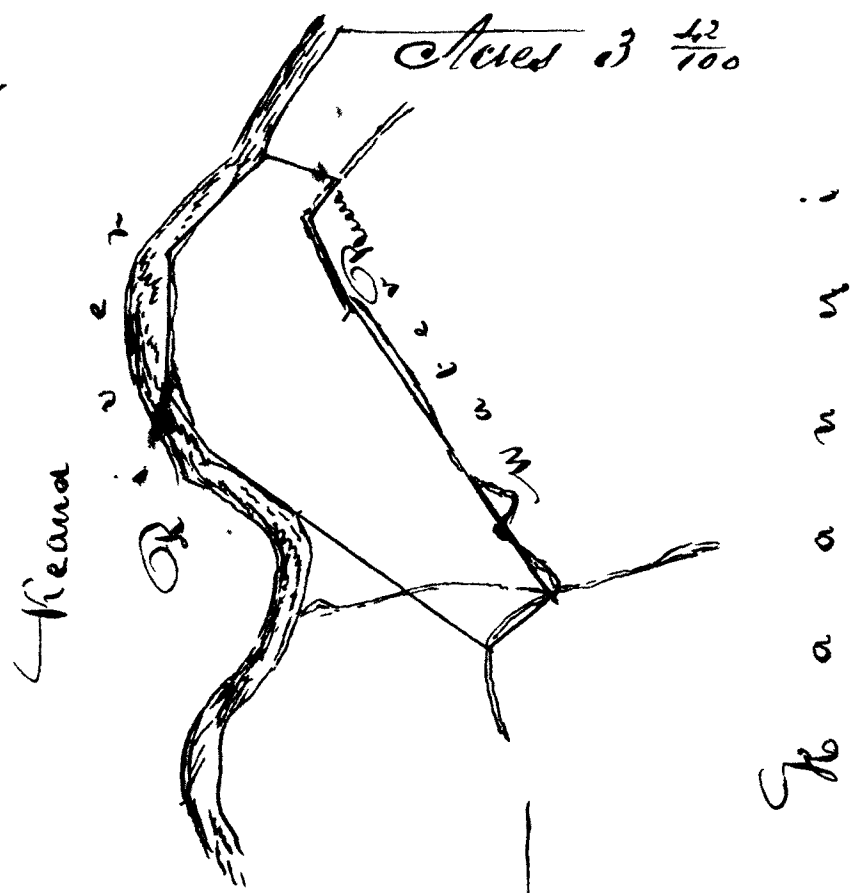
Continuation of Survey of Nº 3 Waiolemu in Waikapu

Haaua

"Commencing at Rock at most northern part of this land, and at intersection of Water run, with little gullet coming down from Haaeui mountain and running South 51°. 30' W. 7 Ch. 3 Lk. along water run on side of Pali to point below large rock. Thence S. 65°. 15' W. 2 Ch. 27½ Lk. along water run to angle. Thence N. 18°. 30' W. 1 Ch. 8 Lk. along water run to little gullet coming down from Haaeui, the N.W. Corner of this Land. Thence S. 19°. 30' W. 1½ Ch. down gullet to rock by edge of River. Thence S. 43°. 30 E. 2 Ch. 56 Lk. along stream to angle. Thence N. 88°. 30' E. 2¾ Ch. along River to large rock on S. edge. Thence. N. 62°. 1 Ch. 57 Lk. along River to angle. Thence N. 36°. 15' E. 6 Ch. 62 Lk. along River across little gullet (first mentioned) up Pali to stones by water run. Thence N. 39°. W. 1 Ch. 43 Lk. along water run to Place of Commencement. including an area of.

Acres 3 12/100

Jan? 25. 1847.



A. Nº 4. Keakuapaaela - Reported by J. Metcalf to be too suggested for Survey.
See acc! of Costs Page 506

Claim No 82. Thomas Phillips.

This is a claim to a certain piece of land situated on the Island of Maui, known and described by the name of "Launiopoko."

The foundation of this claim is a written agreement made and entered into between his Majesty Kamehameha III and the Claimant Thomas Phillips on the 19th day of September 1840, and is signed by the above named parties, and the late Premier Kekauluohi. The agreement is written in Hawaiian, but a correct translation of the same into english is annexed, and reads as follows:—

"I Kamehameha III hereby transfer and confirm for ever, to Thomas Phillips and his Sandwich Island born heirs, a certain piece of land outside of Lahaina, by the name of Launiopoko. Said land to belong to Thomas Phillips, and his Sandwich Island born heirs for ever more, together with all the privileges belonging to said land.

It is also hereby agreed that said land shall never be transferred to any alien, or non-resident of the Sandwich Islands.

In testimony whereof we have hereunto set our hands and seals this 19th day of September 1840 at Lahaina, Maui.

(Signed) Kamehameha III
Kekauluohi (Seal)
Thomas Phillips (Seal)"

This claim appears perfectly clear, and subject only to the rights of Tenants - if any there be - We do award the above named land "Launiopoko," to Thomas Phillips, and his "Sandwich Island born heirs," forever: Provided however, "that said land shall never be transferred to any alien, or Nonresident of the Sandwich Islands." & subject to the bounds described in the

following Survey.

"Survey of the Ahupuaa "Launiopoko" Maui-

"Commencing at stake ½ Ch. W. of Graves, beside road ½ of Ch. above high-water mark. the boundary point between this land and Polanui; and running N. 31° 45' E. 87 ch. along boundary line between this land Polanui to stake in Pumpapai 21 ft. S. & E. of Koa tree. Thence South 37° 30' E. 16 ½ Ch. to stake by rock on makai bank of Polanui River - Thence N. 71° E. 27 ½ Ch. along boundary Line between this & Kamaula to foot of Luakoi Ridge Thence N. 82° E. 12 ½ Ch. following up Luakoi ridge to angle of ridge (Puumkaula) Thence N. 67 ½ E. 44 Ch. following up ridge to top of mountain Called Helu - Thence S. 39° E. 97 ½ Ch. along ridge of Helu mountain across Launiopoko valley, and up to highest peak of Kihau mountain adjoining land Called Olowalu - Thence S. 68° 30' W. 38 Ch. following down along top of ridge on S.E. side of Launiopoko Valley to a pinn on ridge little above junction of the S. boundary ridge of this land, and the one next to Launiopoko Valley - Thence S. 46° 30 W. 102 ½ Ch. following down along top of Ridge the S. boundary of this land to top of hill at foot of Ridge (with two white paths) Thence S. 45° W. 94 Ch. along boundary line between this land and Olowalu to the Sea - Then following along Sea to place of Commencement (direct Course would be N. 53 ½ W. distance 162 Ch.) including an area of

Lahaina Nov. 12 1846 Acres 3778

See Page 169 for diagram

Costs. in C. 82.

To Incidental Expences	$ 1		2
action &c 8th Sept. 1846	$ 1		
draft def.ts of C. rec.d	$ 1		1 50
and Citation 50 Cts			
Draft Testimony rec.d 5 cng.s on 16 Aug. & 11 Nov. 1848	$ 9		6 75
Engrossing Survey of J. Metcalf	$ 6		3
	Clerks		5
			18 25

Report of Commissioners this day rendered in the above

Hale Hauwila
15 December 1848

William L. Lee
J. H. Smith
D. Kaunamano

Claim N° 83. Thomas Phillips.

This is a Claim to a house lot, situated in the Town of Lahaina, on the Island of Maui.

From the testimony of Mr. Miner and Karaimoku given in this Case on the 8th September 1846, it appears, that the lot in question was given to the Claimant by his present Majesty in the Year 1837; and that the Claimant has had uninterrupted possession of the same from that time up to the present.

This Claim, unlike most of the claims of Thomas Phillips, is based upon no written agreement, but simply, upon the word of his Majesty expressed to the Claimant through the Witness Karaimoku; the facts of the case, as they appear in evidence, are as follows:

Phillips went to the King, and spoke to him, when Karaimoku was sent for, and the King said to him "Go and tell Koapili I want a place for my Carpenter." Karaimoku did as he was directed, and Koapili Consented that the King should have the place for his Carpenter, which is now Claimed. Karaimoku returned to the King, and announced to him, that Koapili had assented to his having this lot; when the King said to Karaimoku "Go with Phillips, and point out the place to him." the land was pointed out to Phillips, as directed by the King; and the Claimant subsequently built a house upon it; and has occupied it down to the present time.

This is a clear and undisputed claim coming directly under the first Rule adopted by the Board as prescribed by the Legislative Council. For its action - Viz:

"For the purposes of this Board in all cases where the land has been obtained from the

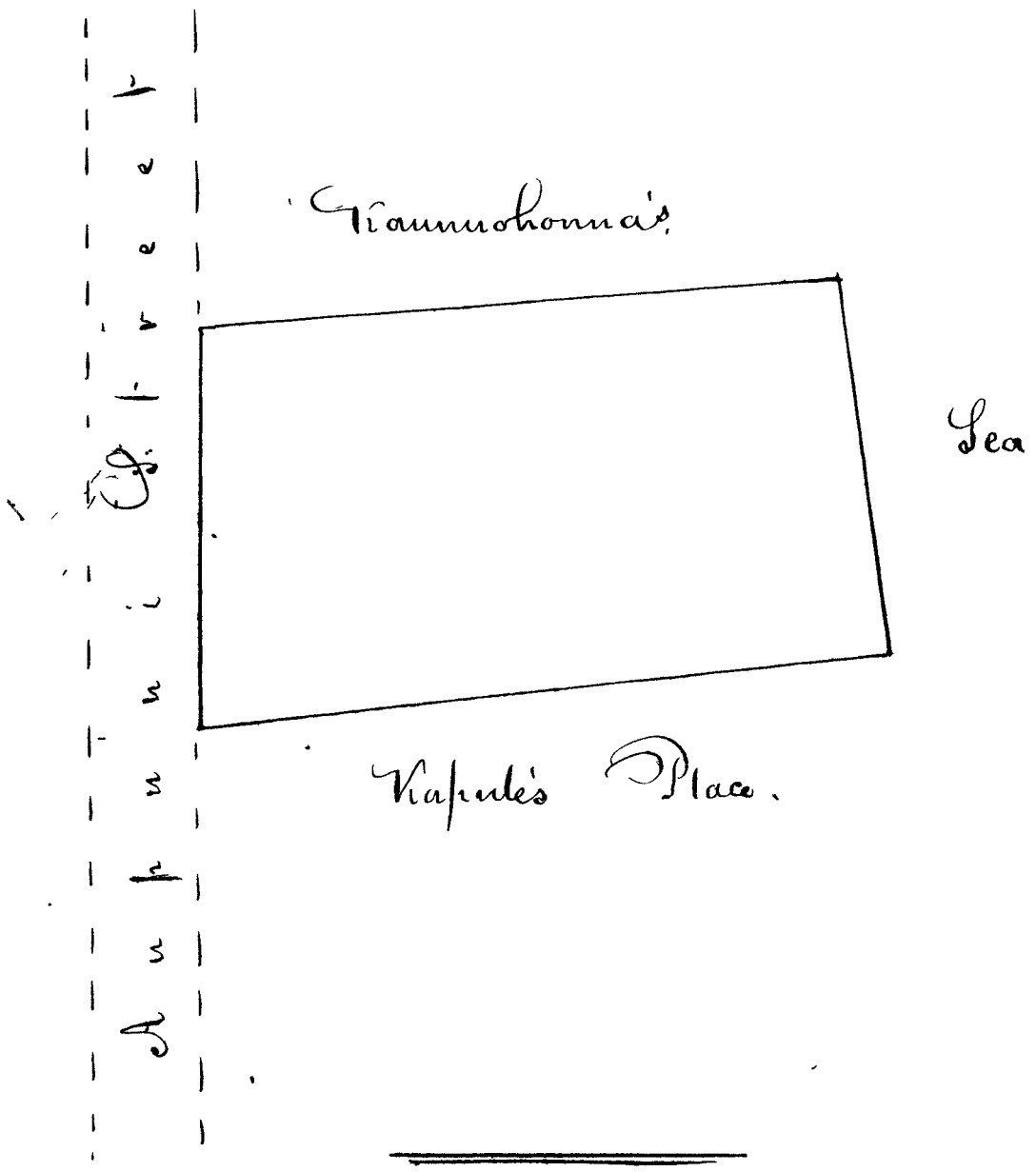
King, or his authorized Agent, without written voucher anterior to 7th June 1839, the Board will enquire simply into the history of the derivation, and if the land claimed has been Continuously occupied built upon, or otherwise improved since that time, without molestation, the Board will, in case no Contests exist between private Claim-ants, infer a Freehold less than allodial."

We do award to the Claimant, Thomas Phillips, a Freehold title less than allodial in said lot, which he may Convert into a fee-simple by paying the Commutation provided by law; provided however, that such fee-simple title Can never be conveyed to any other person than a Hawaiian Subject.

The bounds of this lot as ascer-tained by J. Metcalf Esq. are as follow:

"Commencing at N. Corner of this lot on Aupuni Street, being also the East Corner of Kapule's lot joining this on N. & W, and running S. 45° W. 2 Ch. 36 11/12 Lks. along boundary line between this and Kapule's lot to the Sea (high water mark) thence S. 46° E. 1 Ch. 28 1/12 Lks. along Sea to S. Corner of this lot. thence North 47° E. 2 Ch. 24 5/12 Lks. along line between this & Kaumuohonua's lot to Aupuni Street. thence N. 37° 30 W. 1 Ch 32 Lks. along Aupuni Street to place of Commence-ment. taking in all surrounding walls, and including an area of

Dec. 3. 1846 Square Fathoms 428.



Board of Commissioners for Land Claims
Adjudication of C. N°. 83. Thomas Phillips

		$	¢
To incidental expences relating to the Commission		1	
" action of the Board in this Claim on 8 Sep^{r} 1846		1	
" ~~Citation~~ for attend^{ce} of Claimant			50
" draft deposition of this Claim 2 Sheets	$1		50
" Testimony rec^{d} and eng^{d}	$2	1	50
" Survey of J. Metcalf do (Communicated)	$2	1	
Report of Commissioners this day rendered in the above Claim		5	
		10	50

State Kauiwila
25 July 1848

W. L. Lee
D. Smith
Joanesi
L. Kaauwai

Claim N° 84. Thomas Phillips

Claim N° 85. Thomas Phillips.

This is a claim to a certain piece of land situated in the Valley of Nuuanu, on the Island of Oahu known and described by the name of "Kaimuohena". This Claim is based upon a written agreement for said land, made between his Majesty Kamehameha III the late Premier Ketauluohi, and the Claimant Thomas Phillips, under date of 19th day of September 1840; which agreement is in the following words:-

"I Kamehameha III hereby transfer and Confirm for ever to Thomas Phillips, and his Sandwich Island born heirs, a certain piece of land situated in the Valley of Nuuanu, inland from Honolulu, by the name of "Kaimuohena". Said

Land to belong to Thomas Phillips, and his Sandwich Island-born heirs for evermore, together with all the privileges belonging to said Land.

It is hereby agreed that said Land shall never be transferred to any alien or non-resident of the Sandwich Islands.

In Testimony whereof we have hereunto set our hands and seals this 19th day of September 1840 at Lahaina Maui.

(Signed) Kamehameha III (Seal)
Kekauluohi
Thomas Phillips (Seal)

The Board are of the opinion that the claimants Title to the Land "Kaimuokena" named in the above agreement, is indisputable; and we do therefore Confirm the above agreement; and Award the aforesaid Land to "Thomas Phillips and his Sandwich Island born heirs." for Ever; upon the Condition expressed in said agreement: namely, "That said Land shall never be transferred to any alien or non-resident of the Sandwich Islands".
According to the boundaries as described in the annexed Survey of T. Metcalf.

"Kaimuokena"

Commencing at North Corner of this land joining H. Pierces place on N.W. and Kalaiheana on N.E. and Running S. 45° W. 2 Ch. 39 7/12 Lks. along wall (including it all the road) between this and H. Pierces lot thence S. 54° W. 3 Ch. 3 4/12 Lks. to angle of H. Pierces makai wall - Thence S. 42° W. 2 Ch. 8 7/12 Lks. along between this and Keaniaole's to angle in wall - Thence S. 56° W. 7 Ch. 52 8/12 Lks. to angle in wall - Thence S. 68° 30' W. 2 Ch 60 8/12 Lks. to Gate - Thence North 58° W. 36 4/12 Lks. to Road. - Thence S. 23° 30' W. 1 Ch 11 10/12 Lks. along Nuuanu road to Paki North Corner. Thence S. 61° E. 2 Ch. 43 7/12 Lks. along wall between this and Paki

(including it) to angle. Thence S. 64° 30' E. 3 Ch. 38 3/12 Lks. to stake. Thence S. 80° E. 1 Ch. 16 1/2 Lks. across stream to stake. Thence N. 6° E. 2 Ch. 37 7/12 Lks. along E. side of stream to stake. Thence N. 61° 15' E. 4 Ch. 13 2/12 Lks. up stream to stake. Thence N. 65° 30' E. 1 Ch. 38 11/12 Lks. to stake at Nuhuwai. Thence S. 40° 30' E. 6 Ch. 16 1/2 Lks. to large Rock. Thence S. 22° 30' E. 22 Ch. 30 1/12 Lks. up Pali to first small peak makai from large one, called "Kawaia Kemehaikana". Then running along brink of Pali to first small peak mauka of Kawaia Kemehaikana. Thence N. 35° 30' W. 24 Ch. down Pali to stake beside wall in Punanana. Thence N. 31° 15' W. 14 Ch. 52 8/12 Lks. to place of Commencement. Including an area of

Acres 57 1/4

(Note. This land contains about 27 acres of low land. the Remainder Pali.)

There was a dispute between the Claimant and Joseph Booth, the owner of "Kiwala" the land adjoining "Kaumuohena" on the pali side, as to the boundary line between these two lands. Claimant Contending that the boundary line between them was near the top of the pali, as by the above Survey; while Mr. Booth contended that it was near the foot of the Pali.

The Board after a full hearing of the Parties, with their witnesses, are unanimously of the opinion, that the above Survey of Mr. Metcalf is Correct, and therefore Confirm the Same.

		$	¢
Board of Land Commissioners. Thomas Phillips			85
To incidental Expences du Action of Comm. 8 Sep 1846.		2	
Draft deposition Reduced including orig. deed	$3	1	50
Citation 50 cts. testimony du Engr. on 28 July 1848 and 11 August 14 Pol. Mosely	$7	5	75
Engrossing Copy of Survey by S. Metcalf	$7	3	50
Actions of the Board 28 July and 11 August		2	
Report of Commissioners this day rendered in the above Claim William L. Lee		5	
		19	75

W. Smith

State Kauwila

6 December 1848

Road

Keauiaole's

H. Pierces

Kalis

Kalaihieaua's

Rock.

Punaluu

Kauwaiekeneheihana

Claim N° 102 William Walker.

This is a Claim to a house lot in Honolulu known as the Rose-house Premises.

It appears that this lot previous to the 12th of February 1840, was in the possession of Mikaia Keoki, alias George, a Native who held the same by the usual native tenure - That Mikaia Keoki alias George, on 12th of February above named exchanged this lot with the Claimant for another lot in Honolulu, known as the "White Swan Premises," now in the possession of Henry Lufkin - That from the time of the exchange above mentioned, Walker took possession of the lot in question, and has occupied the same, ever since, by himself or his lessees.

It further appears, that the Claimant Walker on the 20th day of August 1842, gave Mess.rs E & H Grimes a bill of Sale of the "Rose-house Premises, as security for a debt. Claimant was then owing them, with this bill of Sale as a base, Mess.rs E & H Grimes filed with the Board a Claim for this lot. (see Cl. 55)

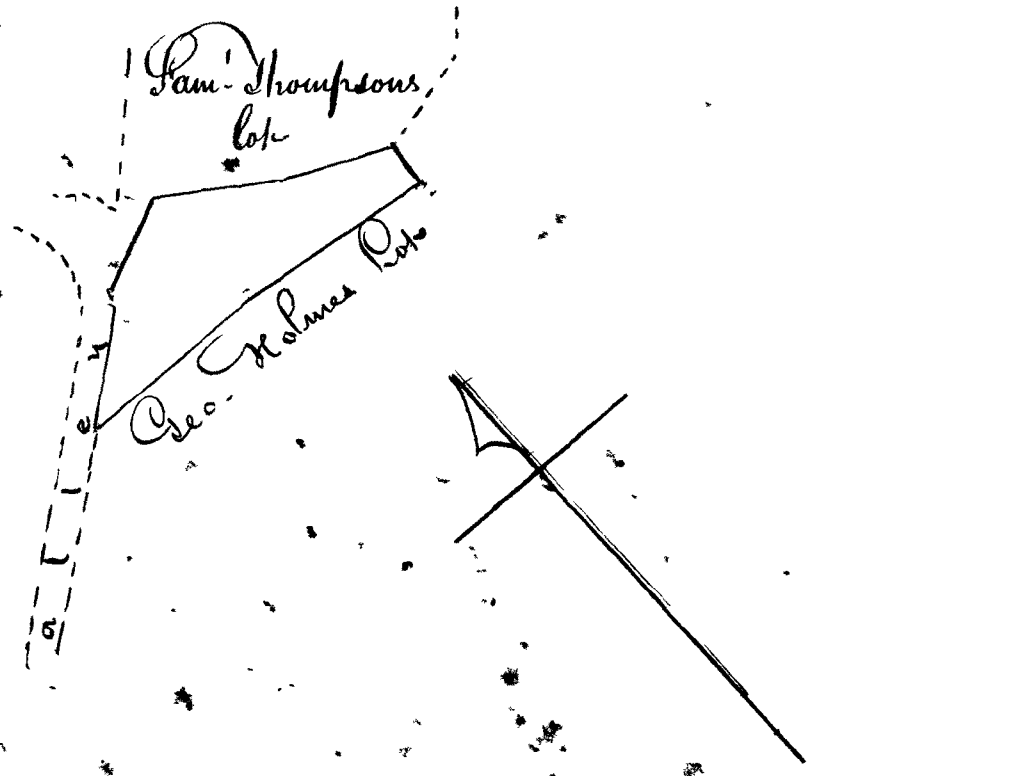
After taking Considerable Testimony on Claim N° 55 of Mess.rs E & H Grimes, they withdrew their Claim, and requested the Board on 21st of July 1846 to consider them no longer a counter Claimant to Mr Walker: and Claim N° 55 being withdrawn, the Claimant Walker remains undisputed in his Claim; and We therefore award to William Walker a freehold title less than allodial in this lot, according to the metes & bounds of the annexed Survey of Theophilus Metcalf, which freehold title he may convert into a fee-simple by praying the Commutation prescribed by law.

"Rose House

Commencing at Mauka E. Corner of this lot, joining lot occupied by Sam.l Thompson (Cooper shop) & running N. 65° W. 35 ft. along S. Thompsons lot to right-angle-

Thence N. 86° 15' W. 52 Ft to gate post at entrance to Sam'. Thompsons lot at Mauka N. Corner of this. Thence S. 63° W. 33 8/12 Ft. along alley to angle. Thence S. 31° W. 8 Ft. to Gate post. Thence S. 53° 45' W. 39 3/12 Ft. along alley to Mauka west angle of this lot. Thence S. 87° 45' E 1 Ch. 3 4/12 Ft. along Geo: Holmes lot to slight angle of wall. Thence S. 83° E. 1 Ch. 6 7/12 Ft along Geo: Holmes lot to extreme S. Corner of this. Thence 12 1/2 Ft. direct to place of Commencement. containing an area of

Dec'r 29th 1847. Fathoms 115 Feet 13.



Board of Commissioners for Land Claims

Adjudication of Claim No 101. William Walker Dr

To incidental expences of Land Commission		1	
action of Board in relation to this Cl. 21 June 1846		1	
Citation			50
draft depos" reduced of this Claim	$1		50
See C. 55 " testimony " " and engrossed	$1		75
Survey by Mr Metcalf engrossed	$2	1	
Report of Commissioners this day rendered in the above Claim W.L. Lee		5	
Kule Kauhiba — J.H. Smith			
Septembter 5: 1848 — D. Kaheiwai		9	75

Claim N° 108. William Walker.

no Costs have been paid for any of these Awards by Claimant for the Awards taken — Dec 1862

This is a claim to a land in the district of "Koolau Poko", on the Island of Oahu, known by the name of "Kapikokau".

His Ex. J. M. Kekuanaoa, Gov. of Oahu, testifies that this land was given to Walker, to hold during his life, by his Majesty previous to their going round this Island in (1836 or 1837) in Consideration of Services rendered by Walker on "board of his Majesty's Vessel, the "Don Quixote."

The Board do therefore award to the Claimant a title to this land in the words of his Majesty's Gift, namely, a life Estate in said land; the bounds of which are fixed by the annexed Survey of Theophilus Metcalf.

"Notes of Survey of Mountain part of Kapiikokau Waiahole Koolau"

Commencing at Stake & Makai & Corner of this land on N. W. top edge of Kapalai Gulch and running N. 48° 30 W. 15 6/10 Ch. along Kapalai to top of puu Makakiki the Makai N. corner of this land. Thence S. 63° 45 W. 18 72/100 Ch. down puu Makakiki and up along on top of W ridge of this land to bend. Thence S. 44° 30 W 30 Ch. up ridge to point Called Puhala at intersection with Kamoa Ridge. Thence S. 78° E. 9 1/10 Ch along down on top of Kamoa to Kahalepao Ridge thence N. 63° 45' E. 37 2/10 Ch. along down Kahalepao Ridge and up to Puhala on Kanahahulu hill. thence N 54° E. 8 56/100 Ch. to point of Comm't. Including an Area of Acres 62 7/10

"Notes of Survey of Kapiikokau (3 pieces) and Qi in Waiahole - Koolau."

No 1 of Makai piece - "Commenced at Stake at mauka S. Corner of this piece on N. W Edge of Waiahole River, by Coates Cocoa - and running along down Waiahole River to Sea - then John p' of Comm't.

again, and Running N. 15° 45' W. 3 1/2 Ch. along Kuaawa to the Sea. then along Sea around to Waiahole River Containing 1 Acre more or less of dry land.

No 2 Of middle piece — Kapiikohau —

Commencing at N.N.W. Corner of this piece at main Road joining Qi and Running S. 61° E. 4 Ch. 41 Lks. along road to angle — Thence S. 38° E. 2 Ch. 34 1/12 Lks. along Road to angle — Thence S. 22° E. 3 Ch. 59 5/12 Lks. along Road and Kalaimeuchu to Stake at makai E. Corner of this — thence S. 83° 15' W. 10 Ch. 43 7/12 Lks. along Water Course & River to Corner — Thence S. 2° 30' E. 2 Ch. 39 7/12 Lks. across bend of River to Stake, Corner. Thence N. 87° 45' W. 2 Ch. 18 1/2 Lks. to Stake at Mauka S. Corner of this land — Thence N. 26° E. 5 3/4 Ch. along Qi to Right angle — Thence N. 25° E. 7 Ch. — 3 1/12 Lks. along Qi to place of Comm^t — Including an Area of Acres 6 27/100

6.27
10.66
18.93

Of Qi (Qii) Commenced at Makai N. Corner of this land joining land called Kamai, and running S. 8. 30 W 9 Ch. 13 2/12 Lks. along Kamai to point on Ridge — angle. Thence S. 31° 15' W. 3 Ch. 25 5/12 Lks. along Kamai to Road thence S. 86° 30' W. 6 1/2 Ch. along Road to mauka W. corner of this land — thence S. 2° 30' W. 4 Ch. 8 Lks. to bank of Waiahole River — Thence S. 66° E 2 Ch 60 8/12 Lks. to pile of Stones — angle — Thence N. 41° E. 3 Ch 6 Lks. to bank at bend of River — Thence S. 89° 45' E 5 Ch. 25 Lks. to S. Corner of Kapiikohau — Thence N. 26° E. 5 3/4 Ch. along Kapiikohau to Right angle Thence N. 25° E. 7 Ch. 3 1/12 Lks. along and to N. Corner of Kapiikohau at main Road — Thence N. 13° 30' E. 5 Ch. 26 1/12 Lks. to Lauhala mark — at Sea — Then along Sea to place of Commence! Including an area of Acres 11 66/100

Kapiikohau has a sea belonging to it as designated on the Map

Jul. 24 - 1849. J. Metcalf Sur-

Surveyed at Marshalls dated 16 Aug 1849 undersigned to him of this date with Survey referred to

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See Map relating to above Notes Page 584 — Costs 583

Claim № 132. Samuel Thompson

This is a claim to a House-lot, situated in Honolulu, which Claim is based upon the following deed: —

"Know all men by these presents, that I Peter Brothers, Carpenter in the Village of Honolulu, Island of Oahu, in Consideration of the sum of One Thousand dollars to me paid by Samuel Thompson (in the same Village, the Receipt-thereof Thereby acknowledge) do hereby give, grant, bargain, sell & Convey unto the said Samuel Thompson, his heirs & Assigns a certain tract or parcel of Land, situate in the Village of Honolulu aforesaid, bounded and described as follows: Viz: From point of Commencement at the water Side in a North east direction 179 ft.: in a South west direction 85 ft. in a South East direction 173 1/12: the front bounded by road, the upper part by lot belonging to Paloanui, the back part to lot belonging to Charlotte Holmes, the lower part to lot belonging to Bennet and Haalilio, with all the privileges & appurtenances thereto belonging.

To have and to hold the aforegranted Premises to the said Samuel Thompson and his Heirs and Assigns in Fee-simple for ever; and I the said Peter Brothers, for my self and my heirs, executors and administrators do Covenant with the said Samuel Thompson and his heirs & Assigns, that I am lawfully seized in Fee of the afore granted Premises, that they are Free from all incumbrances that I have good right to sell & Convey the same to the said Samuel Thompson as aforesaid, and that I will, and my heirs, executors & administrators shall, warrant & defend the same unto the said Samuel Thompson and his heirs and Assigns for Ever, against the lawful claims

and demands of all persons, and in witness whereof I have hereunto set my hands and seal, this 30th of January A. D. 1845.

Executed in presence of — Signed Peter Brothers.
G. P. Judd — R. Boyd. " "

Of the validity of the above deed there can be no doubt; the execution of the same having been duly proved by the Testimony of G. P. Judd and Robert Boyd, the persons in whose presence, the same was executed.

The only question of importance arising in the investigation of this Claim, is, what was the Title of Brothers, the Grantor, in the deed? For whatever right or title Brothers had in this land, belongs to his Grantee, Thompson, and no more. This is clear from the well-established maxim of the law of real property, that no person can convey or grant any greater title in land to another person, than he himself possesses in such land.

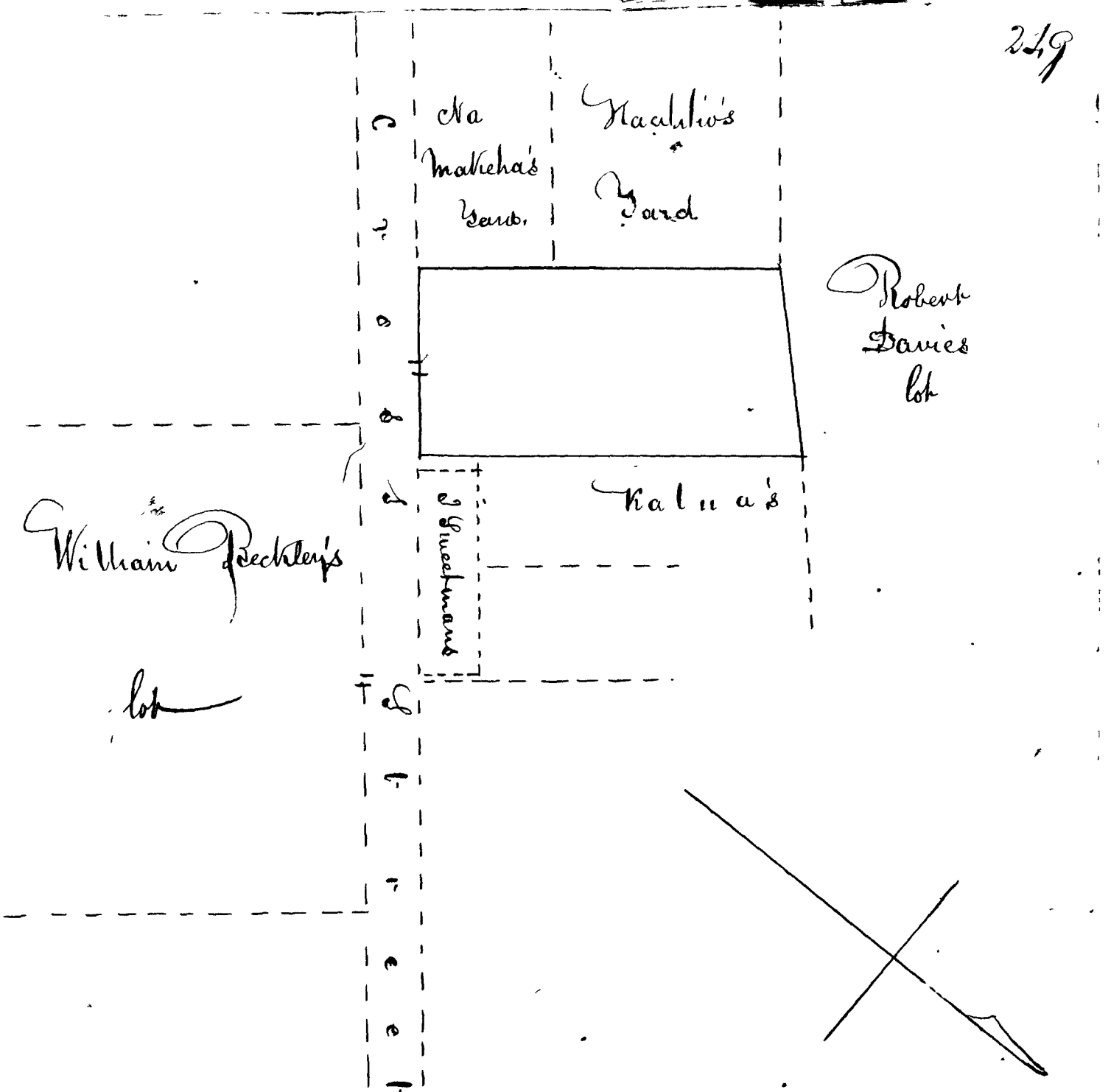
It appears from the Testimony of Robert Boyd and W. P. Rooke, that Brothers came into possession of the lot in question, some time previous to the Year 1830, in the same way as most foreigners got land in those days: but from whom he procured this land does not appear. It further appears, that from the Year 1830 down to the 30th of January 1845 the time of executing the above deed, that Brothers occupied and improved the land. This is the substance of all the testimony offered in the case, and from this it clearly appears, that the title of Brothers was the same as the native tenures of this Kingdom - namely a title by gift, which gave him a right to hold the land during the pleasure of the Donor or King. But by the first Rule adopted by this Board, and approved by the Legislative Council for its government in settling land titles, we are authorized, where the land has been

Continuously occupied by the Claimant from a time anterior to the 7th of June 1839. to award such Claimant a Fee hold Title in said Land, less than allodial.

The Claimant Thompson stands in this Case, in the same place, and holds the same rights in the Land, that Brothers would possess, had he never parted with this Land; and we do therefore award to Samuel Thompson a Fee hold Title less than allodial in the lot Claimed, according to the annexed Survey of Theophilus Metcalf on 28 Dec. 1847. which title the Claimant may, by Commutation, Convert into a Fee-simple as prescribed by Law.

"Commencing at Mauka E. Corner of this lot on Cross Street, joining alley seperating this from lot occupied by J. Sweetman - and Running S. 40° 30' W. 1 Ch. 24 2/12 Lks. along Cross Street to Makai S. Corner of this - Thence N 50° W. 65 1/12 Lks. along Namakeha's lot to his N Corner at slight angle - Thence N 47° W. 1 Ch. 41 Lks. along the Haalilio place (Kaneane) to Robert Davies Land, the Makai W. Corner of this. Thence N. 38° E. 1 Ch. 18 1/2 Lks. along Robert Davies Land to Mauka N. Corner of this - Thence S. 50° E. 2 Ch. 46 2/12 Lks. along lot occupied by Kalua to place of Commencement - including an area of Fathoms 430 1/2

356/1000



Board of Commissioners for Land Titles.

Adjudication of C. No 132. Samuel Thompson

To incidental expences &c			1	
" action of Comm^rs on 3^d November 1846			1	
" draft deposition red^d		$5	2	50
" Citation				50
" draft Testimony reduced & engrossed 3 Nov^r		$6	4	50
" Survey by J. Metcalf			5	
" Engross'd Survey		$3	1	50
Report of Comm^rs in the above Cause this day rendered			5	
		$	21	

Kate Kauwila

25 July 1848

William L. Lee
Joanna
W. Smith
S. Kauwai
F. Hamann

Paid 1 August 1848

No 189.

Claim of Harriet S. Davies by R. G. Davies.

This is a Claim to a house lot in Honolulu. From the testimony taken in this Claim and in that of John Rives & G. P. Rives (No 62) it appears that the land in question is a portion of what was formerly a large lot given to John Rives (father of Claimants in 62) by Kamehameha II before his departure for England; That Rives occupied the same as a ~~hotel~~ lot until the Year 1823; when Charles Hammett father of the Claimant, arriving from Boston in the Ship Champion purchased this lot of John Rives for 350 or 400 dollars; that Hammett resided on this lot for a few years, when he sailed for the ~~United~~ States, leaving this lot to his daughter, the Claimant, and her Mother, Mrs Charlotte Holmes; that Hammett died in the Year 1829; two or three years after reaching the U. States; and that this lot has been in the peaceable and undisturbed possession of the Mother and Daughter ever since Hammetts departure.

Mrs Charlotte Holmes, mother of Claimant

being summoned before the Board on 23d. June 1847 renounced all her Claim, right, title and interest in this lot; & requested the Board to award the same to the Claimant.

The renunciation of all Claim on the part of the Mother, rendered the Claimants title Clear until 28th. of July 1847 - when Aiona alias Ayoung, a Chinaman filed a Counter Claim with the Board for a portion of this Land. (See Cl. No 636) but by a mutual agreement entered into between the Parties 21st. February 1848 in the presence of the Board, - Aiona, alias Ayoung relinquished all Claim to any portion of this land. - thereby leaving Mrs. Harriett Davies the sole & undisputed Claimant.

The Claimants Title is one which must be governed by the First Rule of the Board; and We therefore award to the Claimant Mrs. Harriett L. Davies a freehold estate less than allodial: or in other words a life estate in said lot, which the Claimant may Convert into a fee-simple, upon paying the Commutation prescribed by Law.

The bounds of this lot have been ascertained and fixed by the annexed Survey of Theophilus Metcalf which are as follow:-

"Commencing at N. Corner of this place on S. side of alley leading into Hotel Street, being also the E. Corner of the Reeves place, and running S. 41° W. 2 Ch. 35 5/12 Lk. along boundary line between this & the Reeves lot to Pakis N. wall and slight angle - Thence S. 43° W. 31 2/12 Lk. to W. Corner of this lot - Thence S. 48. 15° E. 2 Ch. 7 3/12 Lk. along Pakis & Reynolds lots to the Kaalihi place occupied by John Ricord - Thence N. 39° 30 E. 1 Ch. 4 Lk. along Kaalihi place to slight angle - Thence N. 37° E. 44 10/12 Lk. along Thompsons lot to slight angle - Thence N. 37° 30' E 1 Ch. 15 10/12 Lk. along boundary line between this and Thompsons lot to N. Corner of Thompsons lot - Thence N. 47° W. 1 Ch. 62 Lk. to place of Commenc: taking in all boundary walls and includ & an area of Fathoms 732 - feet 15.

252

Stephen Reynolds

Park

John Ricord (Kaalilio Place.)

The Samuel Thompson.

Reeves (Rives) Place

alley

alley

River Lee

Board of Commissioners for Land Claims
Adjudication of Claim № 189 Harriet P. Davies Dec
by Robert G. Davies

To incidental expences &c		1	
" action of Commissioners on 2nd December 1846		1	
" Citation			50
" draft deposition Reduced fol. 12		6	
	Carried for ward	8	50

	Dr. to Fol.ᵒ	8	50
To draft testimony reduced & engrossed on 2nd Decr 1846	Fl	3	
" do " " 23 June 1847	Fl		75
" Subpœna for Cl.ᵗˢ Mother Mrs C. Holmes			50
" Citation - 21 February 1848			50
" Moiety of test.y red.d & eng.d same time divided with Aiona counter Claimant No 636	Fl3	2	25
" Engrossing Survey Communicated by Claimant	Fl3	1	50
Report of Comm.rs this day rendered on the above Claim		5	
		22	
		7	25
		12	75

Kate Kaluwila — William L. Lee — W. Smith — Joanela — Vanderen

25 July 1848.

15 ✠ ✠ ✠ 2.25 deducted have been paid by Aiona Counter Cl. 636

D. Kaumuni

Claim No 199. John Dawson

This is a claim for a house lot situated in Lahaina - Island of Maui

This lot it appears from the Testimony, was given to the Claimant, as a place of Residence by Kamehameha III about the Year 1840 in the same manner as lots were given to Foreigners in ancient times; and that the Claimant has occupied the same in peace from the time of its bestowment in 1840 or 1841 - down to the present time.

It further appears that the King procured this land from Koapili Wahine - late Governess of Maui - and had a right to make this disposition of the land to the Claimant - We do therefore award to John Dawson the same Title to this lot that is awarded to Claimants who have had undisturbed possession of land by Gift from the King, from a period anterior to 7th June 1839 namely a Freehold estate less than allodial - or in other words, a Life Estate, in said lot, which he may Convert into a Fee-simple, by paying the Commutation prescribed by law.

The bounds of this lot are described in the annexed Survey made by J. Metcalf on 23d Dec.r 1846.

" Kamakalauhale.

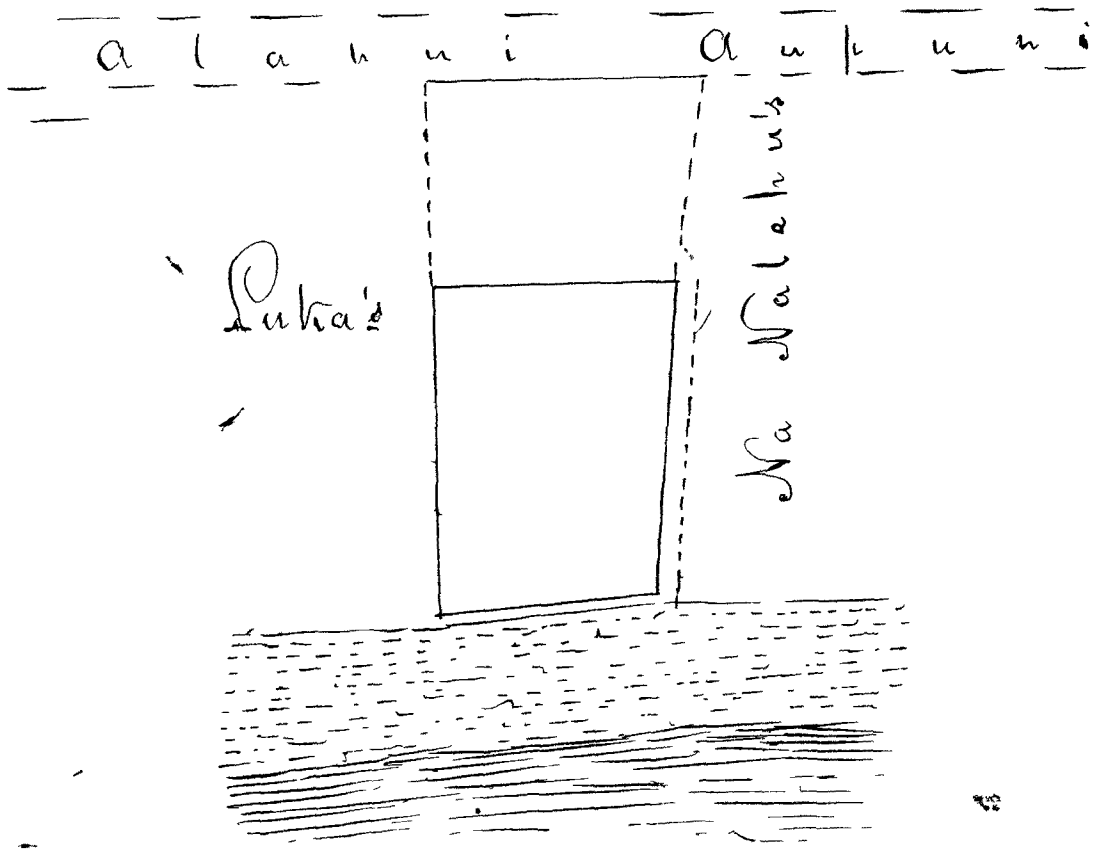
" Commencing at East Corner of this lot

and wall, joining little alley leading between this and lot occupied by Na Nalehu and running South 48° 30' W. 110 3/12 Ft. along alley to South Corner of wall enclosing this lot 49 ½ Ft. mauka of low water mark. Thence - thence N. 48° 30' W. 72 7/12 Ft. along makai wall to W. Corner (the space between this wall & low water mark belongs to this lot) thence N. 45° 15' E. 115 ½ Ft. along between this and lot belonging to Luka to corner of wall in Fish pond - thence S. 44° E 79 ½ Ft. to place of Commence: taking in all surrounding walls and including an area of Fathoms 238 - Feet 12.

Notes of a Survey of part of Fish Pond between John Dawsons house lot and Alanui Aupuni Lahaina Maui -

"Commencing" at E. Corner of wall of John Dawsons house lot - and running N. 55° E. 93 Ft. along between this and Na Nalehu's lot to N. W. Gate post at alanui Aupuni - thence N. 43° 30' W 91 Ft. along Alanui Aupuni to point in range with J. Dawson's N. W. wall of house lot - thence S. 45° 15' W. 93 Ft. across Fish pond to John Dawsons N. Corner wall - thence S. 44° E. 79 ½ Ft. to place of Commence! including an area of Fathoms 221 Feet 25.

Decr 23. 1846.



Board of Commissioners for Land Titles

Adjudication of Claim № 199 John Dawson

To incidental expences			1	
" Action	on 22d of December 1846		1	
" Citation				50
" draft deposition Reduced		$1		50
" " Testimony "	dens^{d}	$3	2	25
" Engrossed Copy of Survey received from Cl.		$3	1	50
" Report of Commissioners this day rendered on the above Claim			5	
		$	11	75

Kate Kauwila
25 July 1848

William L. Lee
Joane di
M Kapuhi
D. Kauwai
C Namauu

Entered 26 August 1849

Claim № 202. Edwin Miner.

This is a Claim for a certain piece of land lying in Kaiku on the Island of Maui. It appears from evidence that the Claimant bought this place of Wahie at the time the Native Meeting house at Waiuku was building, and hence he had possession of it previous to the Year 1839. He has raised sugar Cane on the ground and otherwise improved it. The Claim was afterwards Confirmed by Hoapili Wahine, and Edwin Miner has had undisputed possession up to this time.

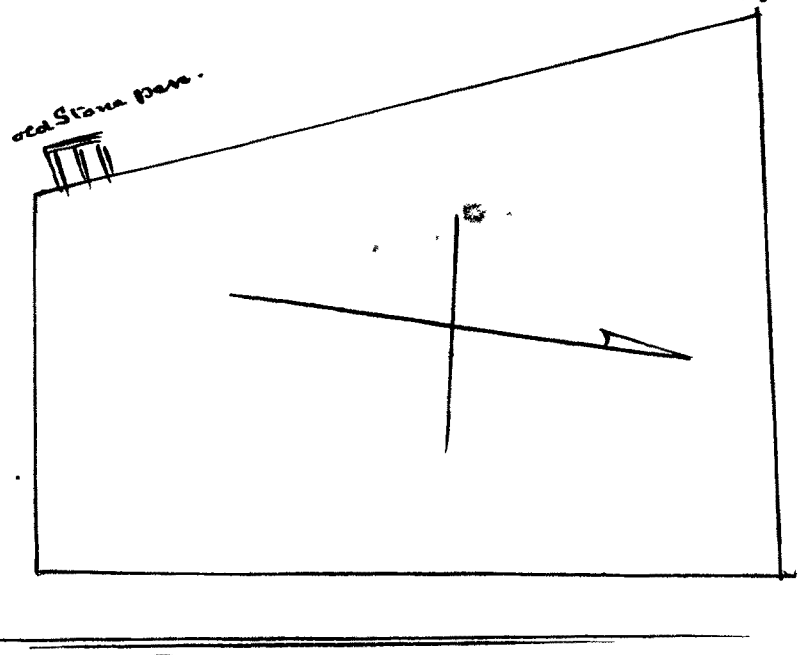
We therefore award to the said Edwin Miner a Freehold estate less than allodial, or in other words a Life estate in the said Land, which may be Commuted for a fee-simple by paying to Government the sum stipulated by law. The boundaries are described in the annexed Survey made by L. L. Torbert and dated April 15: 1849. "Kaiku Hamakuulua E. Lalani called Kalalani" — Commencing at Stone S. 22° E. from S. E.

Corner of old stone Pen 50 lks & running N. 76° 15' E.
to stone 805 lks. Thence N. 13° W. 1565 lks to stone,
Thence S. 74° 30' W. to stone 1195 lks. Thence S. 28° E.
1550 lks. to first mentioned Stone: Includ? an area of

Costs Parts.

4 Acres 5/10

Includ. Copy &c 1
Draft Sec? rec.d & Ent 1
Engross.d Survey by
L.L. Torbett
Report of Com.
-miss.rs this day
rendered 5
Kale Koona
15 Nov.r 1849 8



No 2 "Kapalalea", Commencing at the line on N. E. side of Mr. Armstrongs land at Stone at top of the Bank of Gulch Luamii at Puiaa & running N. 61° 45' E. 132 lks to corner of Kalo patch - Thence S. 63° 30' E. 53 lks across between patches - S. 20° 30' W. 168 lks to foot path - N. 69° 30' W. 15 lks to stone - S. 31° W. 49 lks S. 23° 15' W. 713 lks. S. 15° 15' E. 25 lks - S. 72° 30 E. 141 lks to corner of patches - N. 14° 30' E. 20 lks to stone - N. 68° 30' E. 171 lks to stone on top edge of Gulch - N. 72° 45' E. 1040 to stone (lks) N. 13° W. 827 to Gulch - N. 24° E. 495 lks to stone near Pear Bush - N. 6° W. 300 lks to big stone & cross + - N. 40° 45' W. 186 lks along edge of Gulch to stone - N. 83° 50 W. 502 lks opposite Bank on Top - S. 70° 45 W. 1244 lks to stone by old Play Grounds - S. 17° 15' E. 554 to stone on top of Gulch - S. 5° 45' E. 522½ lks to first named stone - Including an Area of

1320.?

14.50
25 60
40.10

~~25 Acres~~ 6/10

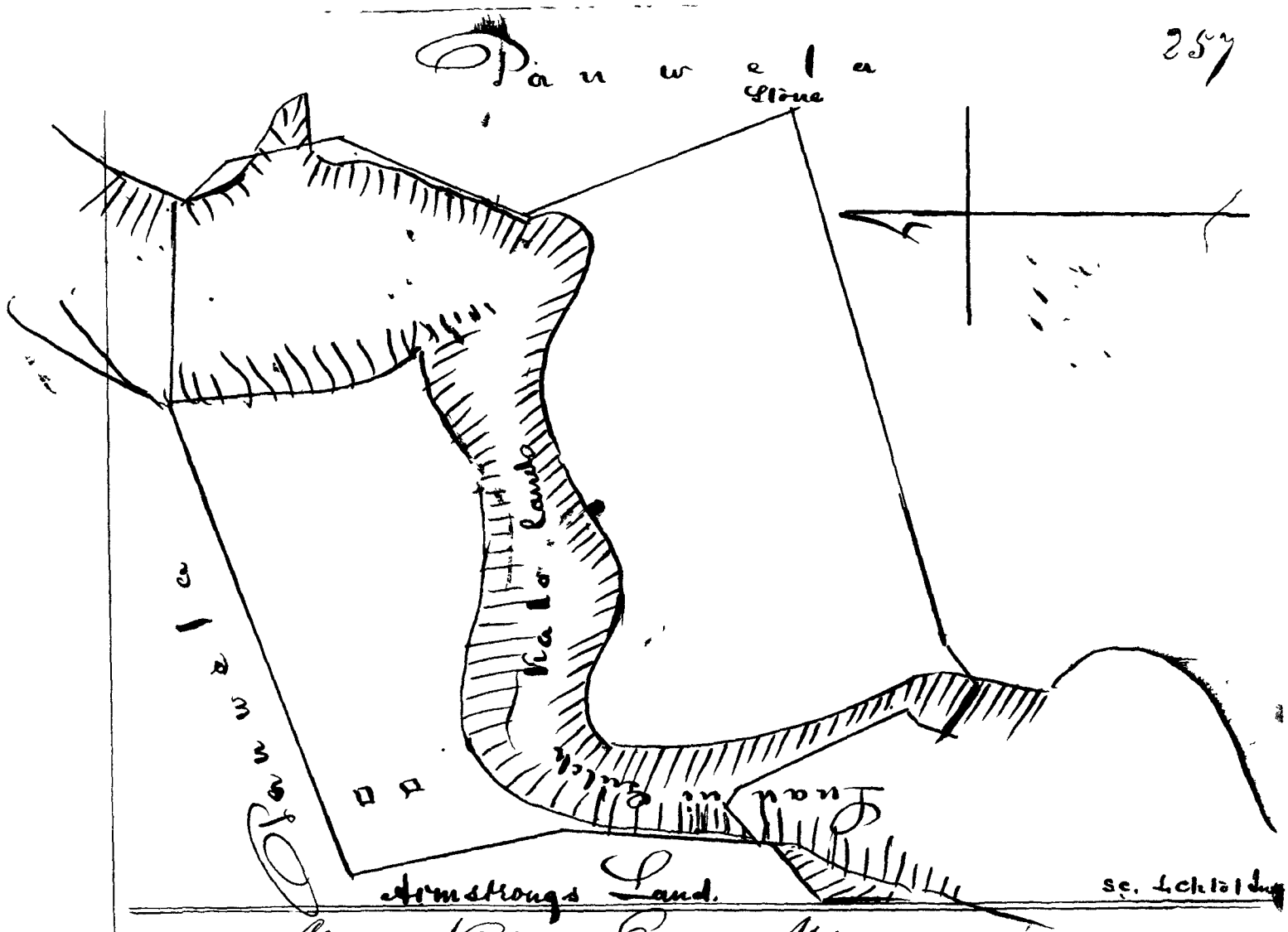
April 15 - 1849

L. L. Torbett Surv.

Honolulu Oct. 20 - 1849.

L. Kaauwai

See Costs Page 258



Claim № 203. Edwin Miner.

This is a Claim to a lot of land called "Polanui" in the district of Kahaina. Maui. From Testimony it appears that the Claimant obtained it from Koapili Wahine previous to the Year 1831; and that he fenced, and built a house upon it, and has held undisputed possession until the present time.

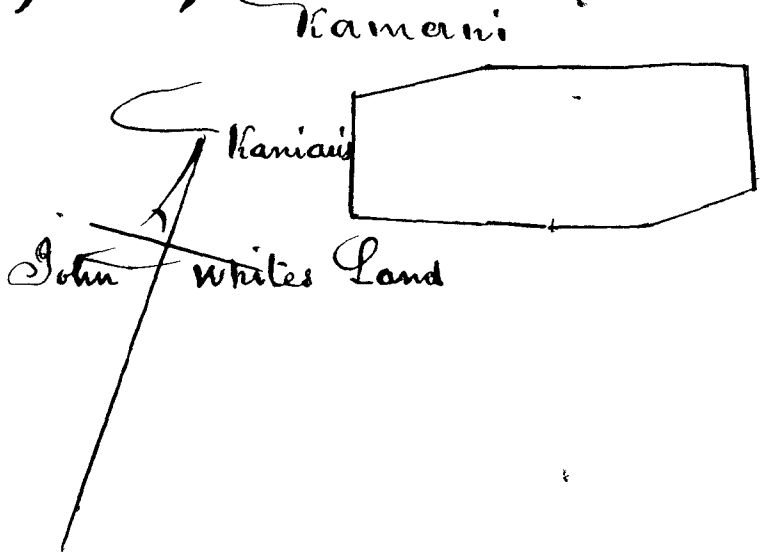
This Claim is a simple one, and Comes under the first Rule of the Board. We therefore award to Edwin Miner, a Freehold estate less than allodial, which may be Commuted into a fee-simple by paying the Commutation according to law.

The boundaries are described in the annexed Survey of J. Metcalf as follows;

"Commencing at Makai W. Corner of this lot, joining land called Kamani and Running S. 19° 45' E. 1 Ch. 20½ ft. along Kamani's land to Makai S. corner of this lot N. 72° E. 1 Ch. 4 ft. along wall to angle. Thence N. 67° 30' E. 21 10/12 ft. to angle of wall. Thence N. 77° E. 39 11- to angle of wall. Thence N. 67° 15' E. 1 3/10 Ch. along John Wiles land to angle

of wall, Thence N. 52° 30' E. 1 Ch. 5 1/2 ft. to Mauka E. Corner of this Land. Thence N. 21° W. 1 Ch. 21 1/2 ft. along Mauka side this lot to N. Corner. Thence S. 70° W. 2 Ch. 53 1/2 ft. along Kamani to angle of wall. Thence S. 59° 45 W. 1 Ch. 27 8/12 ft along Kamani to Place of Commencement. Including An area of Fathoms 792 ½

July 27- 1849. J. Metcalf Surv



Costs. Adjudication of C. 203. Edwin Muniz Dr.

Incidental Expences of			1
Action of Comon			
Citation			50
dr. test. red. d Eng. d Jan. 1847		f1	75
Survey by J. Metcalf			6
Engrossg. do		f2	1
Report of Commissr. this day rendered in the above Cause			5
August 21- 1849			14 25

Kalehoona

Costs C. N° 202	Incid! Expences Action of 1848		1
Part II	dr. test. red. d Eng. Jan 1847 130 Lines		1
	Survey by L. L. Torbert engrossg	f6	3
	Producing dr. Lacey N° 123 Fol 3		1 50
	Report of Commissioners C. 202		1
Kalehoona			11 50
15 Nov! 1849			

Claim No 304. Edwin Miner

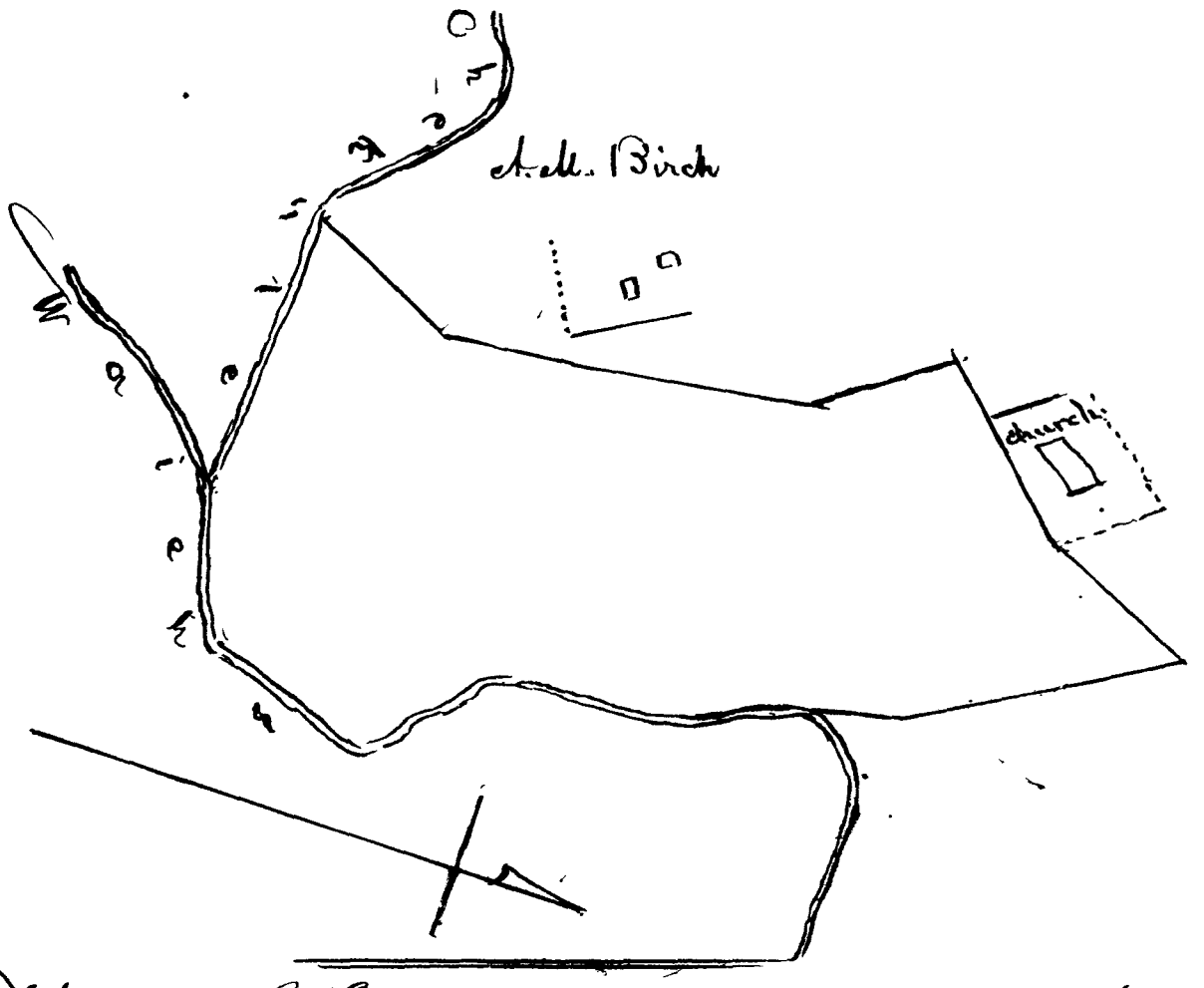
This is a claim to a piece of land called "Hale-lena iki" lying in Waiehu, district of Waiuku.
It appears from testimony that this place was given to the present Claimant by Koapili Wahine about the year 1832. when her stone house was building. Claimant has held undisturbed possession of this land until the present time. This Claim Comes under the First Rule; and we accordingly award to Edwin Miner a freehold estate less than allodial; subject to the Commutation in accordance with the law.

Boundaries as described in the annexed Survey of J. Metcalf

"Commencing at pile of Stones by well and water course at W. corner of this and N. corner of Hoki Bichi's Halelenanui land - and running N. 43° E. 4 $\frac{46}{100}$ chains along to angle of Water Course by E corner of Church Land - thence N. 20° 45' E. 3 $\frac{61}{100}$ Ch. along Water course to top of large Rock marked + at N. Corner of this land - thence S. 32° 45' E. 6 $\frac{35}{100}$ Ch. along makai side of this land to stone Wall - thence S. 15° 30' E. 9 $\frac{7}{10}$ Ch. down Bank & and along to Rock marked + at bend of stream - thence S. 49° 45' E. 2 $\frac{9}{10}$ Ch. to bend of Stream - thence S. 22° W. 3 $\frac{42}{100}$ Ch. to bend of Stream - thence S. 66° 45' W. 2 $\frac{9}{10}$ Ch. along to junction of Waiehu and Okakuli stream - thence N. 88° W. 6 $\frac{48}{100}$ Ch. along Okakuli to stake on left bank to Bichi's land again Thence N. 26° E 3 $\frac{58}{100}$ Ch. across Kalo patches to pile of stones - angle - Thence N. 4° 15' W. 2 $\frac{1}{2}$ Ch. up Bank to pile of Stones near makai side of A. M. Bi house fence - Th[illegible] N 2° 15' E 5 $\frac{1}{2}$ Ch. to corner of stone Wall - Th[illegible] N. 35° W. 3 $\frac{1}{10}$ Ch. always along A'n Bichi's [illegible] to place of Commence." Incl? an area of Ac[illegible] - $\frac{8}{10}$.

Sep. 21st - 1847

J. M[illegible] Surv.



Costs & Incidental Expᵉˢ action 1 — 1
" dr. test ᵈ 1 ed ᵈ Eng Jan ᵍ 1847 & 30 June 1848 — 1
Survey by T. Metcalf ᵈ 10 & £3 per Copy - 1 engrossed — 14
Report of Commiss ᵈ this day rendered — 5
Hale Hoona — 21
L. Kaauwai
November 15. 1849

Claim Nº 205. Anthony Catalena.

This is a Claim to a land situated in Waikapu Island of Maui, and known by the name of "Kaliipalalu" or "Kalipalahalaha". The Claim is Clear beyond dispute and is based upon the following deed of the former Governess of Maui - Hoapili Wahine: which deed is approved by the King and the late Premier Kekauluohi"

Copy of Deed.

"I. Hoapili Wahine hereby transfer & Confirm to Anthony Catalena, and his Sandwich Island born heirs for ever, a certain land in Waikapu by the name of K[illegible]alahalaha, also a certain fishing ground with it[illegible] the name of Anuhoki - said land & fishing ground to belong to Anthony Catalena, and his Sand- wich Island born heirs for evermore; together with all privileges belonging to said land & fishing ground

and no Rent or Tax shall ever be required, more than is required of other Lands and fishing grounds of the same Character. It is hereby also agreed that said Land and fishing ground shall never be transferred to any alien or non-resident of the Sandwich Islands.

In testimony whereof we have hereunto set our hands and seals this 5th day of June 1840 at Lahaina.

Signed Anthony Catalina

his cross + seal

Witness

William Richards. Na Koapuli Wahine "

"We hereby approve the within document

Kamehameha III

Ke Kauluodi {seal} "

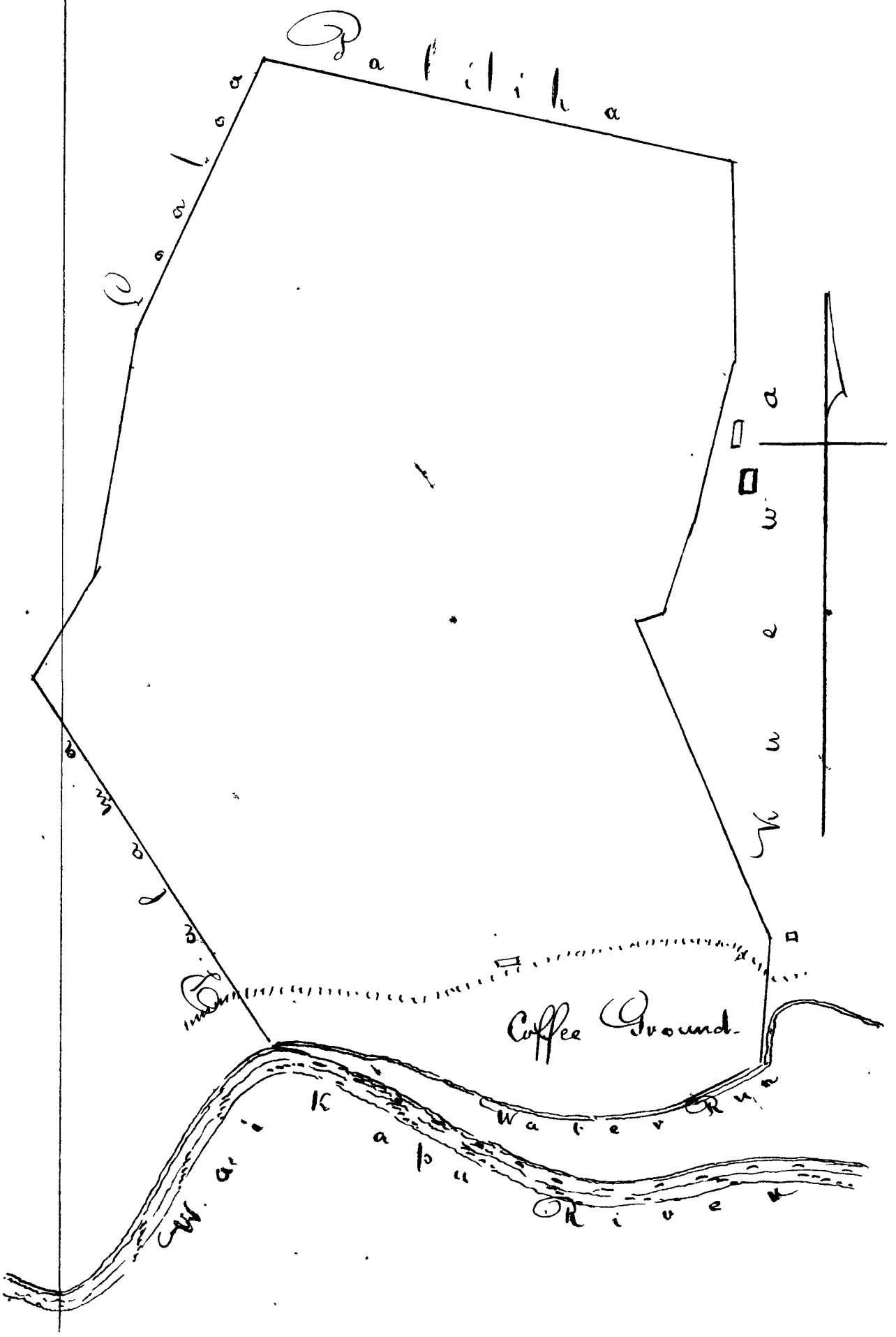
The above deed renders the Claimants title to the Land, clear and we accordingly award to Anthony Catalina, and his Sandwich Island born heirs, to have and to hold for ever, upon the terms and Conditions expressed in the above deed; this Land, as defined by the annexed Survey of Theophilus Metcalf dated 1st February 1847.

"Haliipalalii or Halipalahalaha.

"Commencing at Stone by water run at N.E. Corner of this Land, joining Palilika on N & Kuewa on E and running N. 78° 30' W. 7 Ch 6½ Lks. along boundary line between this land Palilika to Loaloa by stone & water ditch - thence S 24° W. 4 Ch. 38 3/12 Lks. along Loaloa to angle by water ditch - thence S. 9° 30 W. 3 Ch. 41 Lks. along ditch to angle - thence S. 31° 15' W 1 Ch. 51 Lks. along ditch & Loaloa to Palama by Papipi - thence S. 33° E 5 Ch. 46 Lks. along Palama to edge bank - thence S 28° E. 51 Lks. to River thence S. 66° E. 5 Ch. 56½ Lks. along middle River to angle thence N. 78° E. 62½ Lks. along River to S. E. Corner of this Land at Kuewa - Thence N. ½° E. 1 Ch. 23 9/12 Lks. across River, along makai side of Coffee to Water run - thence N. 64° E. 1 Ch. 23 Lks. along Water run to angle. - thence N. 6° E. 1 Ch. 58 Lks. along water run, up bank to point by house - thence N. 22° 15 W. 5 Ch. 13 Lks. along between Kalo patches of this

land and Kuewa to angle.- thence N. 78° 30' E. 21 ft. to angle, corner of Kalo Patch.- thence N. 20° E 1 Ch. 31 8/12 ft. to angle.- thence N. 14° E. 2 Ch. 35° 8/12 ft. along past Sugar Mill to angle.- thence N. 2° 30' W. 3 Ch. 3 1/2 ft. always along between this land and Kuewa to point of Commencement- including an area of Acres 13- 61/100.

Feb'y 1st 1847.



Claim N° 306. Anthony Catalena.

This is a claim to a house lot in Pakala, Lahaina Maui.

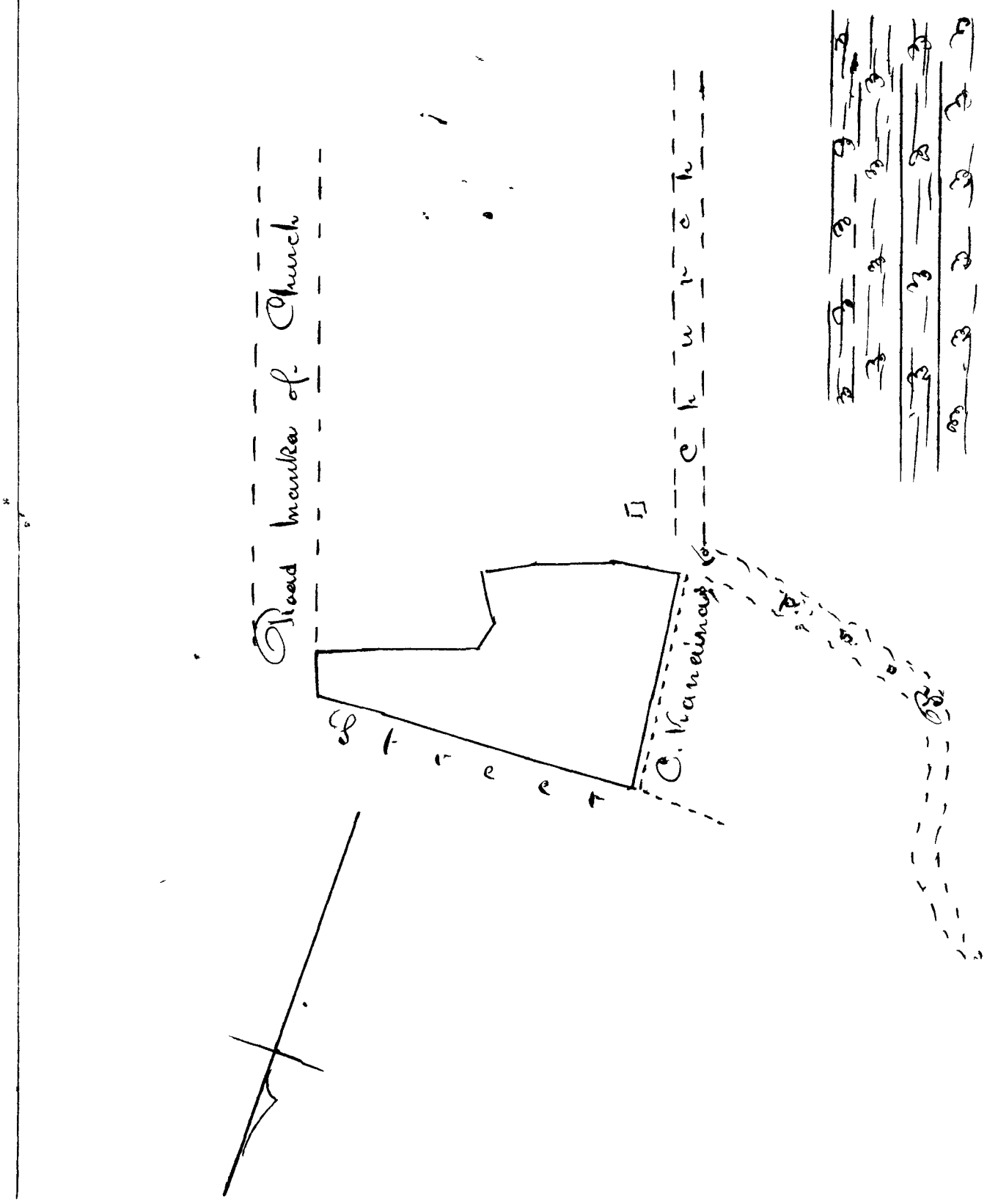
From the Evidence it appears that this lot was given to John Crowder in the Year 1838 or 1839. by Koapili Wahine, as a Residence for himself & family. The use of this place, together with a house and food for himself and family was also given to him in Consideration of his services to her as blacksmith. He lived on the lot in peace, doing the work of Koapili Wahine & others, until about the Year 1844, when he left Lahaina on account of sickness, and went to live at Waikapu on the same Island. After going there he sold this lot to Anthony Catalena, the Claimant, as appears by John Crowders deed, on file with the Board, under date of the 7th of May 1845.

There being no objection or Counter Claim offered to this Claim, and the Board being of the opinion that the Claimant has lawfully succeeded to all the rights of Crowder. We do therefore award to Anthony Catalena a Freehold title less than allodial, or in other words a life estate in this lot which he may Convert into a fee-simple by paying the Commutation prescribed by law. The boundaries of this lot are set forth in the annexed Survey of Theophilus Metcalf of 18 June 1847.

"Pakala, Lahaina - Maui -

"Commencing at S. W. Corner of this lot and paling fence enclosing it, joining Road leading into Church & narrow alley separating this from lot owned by Chas Kanaina and Running N. 74° 15' E. ½ Ch. along Church alley to post at slight angle in fence - Thence N. 68° E. 10 11/12 Ft. along fence to post slight angle. Thence N. 57° 30' E. 21½ Ft. to Corner of fence - Thence N. 30° W. 23 2/12 Ft. along fence to slight angle - Thence N. 4° 30' E. 13 2/12 Ft. along fence to Corner - Thence N

65°. E. 1 Ch. 9 3/12 Lt. along land claimed by Chas. Kanaena to Road marked of Church premises thence N. 32° W. 19 10/12 Lt. along Road to N.E. Corner of this lot - thence S. 87° W. 31 8/12 Lt. along fence and highway to slight angle - thence S. 83° W. 1 Ch. 57 11/12 Lt. along highway to N.W. Corner of this lot - thence S 9° 30' E. 1 Ch. 38 3/12 Lt. along narrow alley seperating this from lot owned by Cha Kaunaina to Place of Commencement - including an area of Fathoms 286 - Feet 28.



Board of Commissioners for Land Claims

Adjudication of Claims Nº 205 and 206 Anthony Catalena Dr.

Nº 205		
To incidental expences	1	
" action of Commissioners on 22nd February 1847	1	
" citation 50cts draft depos.n red.d & f. 3. $1.50	2	
" Engross.d Copy of Claimants Survey by J. Metcalf f4	2	
" Report of Commiss.rs this day Rendered in this claim	5	
	11	
Nº 206		
To incidental expences & action of Board on 22nd Feby 1847	2	
" Citation 50cts & dr. dep.n red.d f 3 $1.50	2	
" draft Testimony red.d & eng.d on 22d Feb.y 1847 & 24 June 1848 f2	1	50
" engross.d Copy of Cl.s Survey by J. Metcalf f4	2	
" Report of Com.rs this day Rendered in this claim	5	
	12	50
deduction by order of Board	2	50
	10	

William L. Lee

Hale Kauwila

25 July 1848

Claim Nº 212. George B. Vowles

This is a Claim to a house lot situated in Waikiki plains. Oahu.

How this lot was originally obtained, or by or from whom, does not appear. The first we learn of it is in the Year 1833 when this lot was in the possession of Alexander Smith, when it was bought from him by John Sweetman. Sweetman held it in peaceable possession until the Year 1835, when the Father of Claimant, James Vowles bought the same of Sweetman for the sum of $100. The deed of Sale from Sweetman to Claimant is on file with the Board; and it appears that he has occupied this lot in peace from the Year 1835 down to the present time.

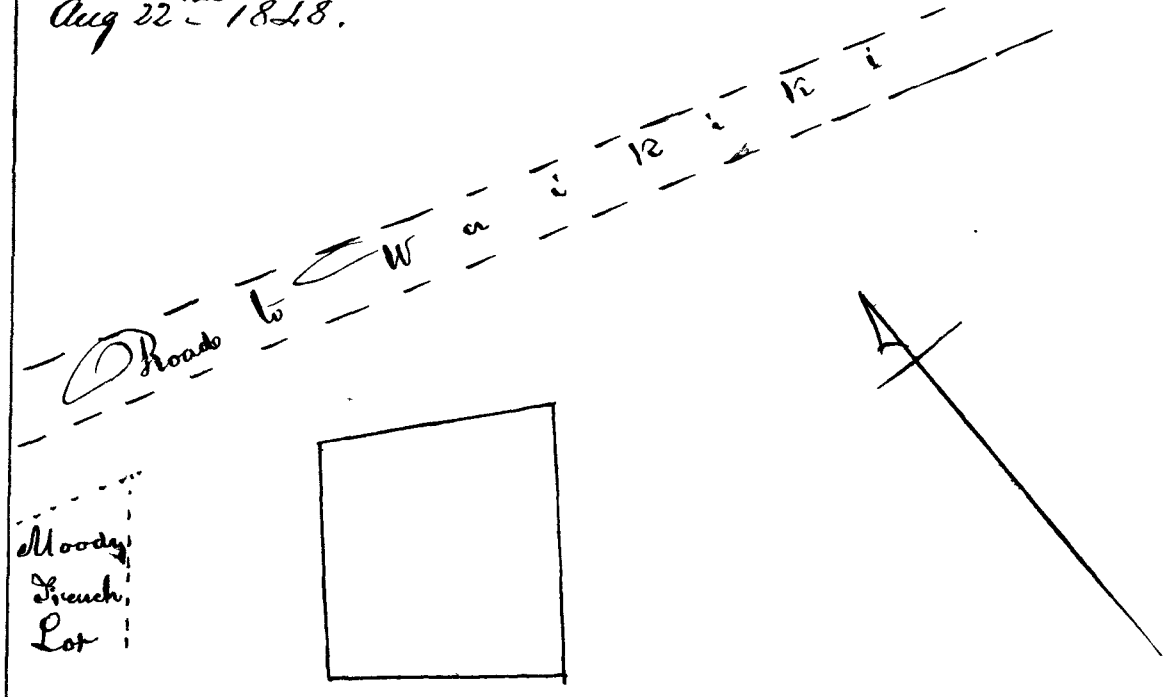
The Claimants title is Clear, Coming directly under the first Rule of the Board. And we therefore award to the Claimant George B. Vowles, a Freehold Title less than allodial; or in other words, a life estate in this lot, which he may Commute according to law.

The boundaries of this lot are described in the annexed Survey of Theophilus McCalf

Lot in "Koula Waiteli

Commencing at Inaulka N. Corner of this lot— little Inakai of of Road leading to Waiteli— and running S. 31° W. 2 Ch. 39 Lk. along N. W. side of this lot to Inakai W. Corner— Thence S. 58° 30' E. 2 Ch. 37 1/2 Lk. along Inakai side of this lot to S. Corner— Thence N. 27° 45' E. 2 Ch. 65 1/2 Lk. along S. E. side of this lot to E. Corner Thence N. 67° 30' W. 2 Ch. 27 8/12 Lk. along Inaulka side of this lot to place of Commencement— including an area of Nathons 839— See 10.

Aug 22nd 1848.



½@S

Board of Commissioners for Land Claims

Adjudication of Cl. N°212 George. B. Vowles

To incidental expences and action of the Board on 1 Sept 1847 in Relation to this Claim	2	
" dr: dep: reduced J. 3 including Copy of deed	1	50
" Citation 50 Ch dr: test: ved: d leng: on 1: Sept J2	1	50
Survey $5 - engrossing Copy of same J2 - $1 —	6	
Report of Comm: this day rendered on the above Claim	5	
	$ 16	

Hale Kauwila

September 16 1848

J. H. Smith

L. Kaauwai

Claim № 213. James Vowles.

This Claim is for a house lot situated in Waikiki Plains, Island of Oahu.

The history of this place, as it is known by the testimony before the Board is as follows:-

James Smith, a mutatto first took possession of this place in the Year 1829 and held it undisturbed until 1833; when he sold the house and premises to Moody French, an american, who occupied the same until the Year 1846; when he left the Islands for Columbia River; at the same time selling these premises to Isaac Montgomery. (See deed from Moody French & his Wife Mahaino to Montgomery, dated 15th April 1846 on file with the Board)

On 21st of April 1846 Montgomery, in Consideration of the sum of $500 paid him by the Claimant transferred to James Vowles all his right, title & interest in this place; and the Claimant is now in quiet possession of the same.

This Claim comes under the first Rule of the Board; and we accordingly award to the Claimant James Vowles, a Freehold Title less than allodial; or in other words, a life Estate in said place; which he may Convert into a Fee simple by paying the Commutation in accordance with the law.

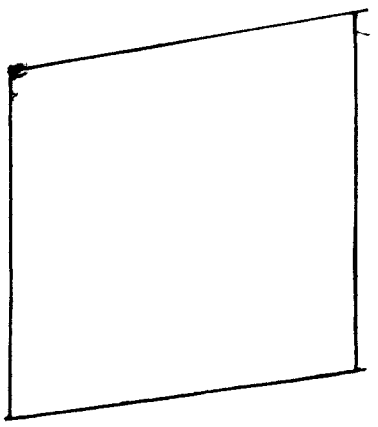
The metes and bounds of this place are described in the annexed survey of Theophilus Metcalf.

("Moody French Place in Kouka-Waitite-

Commencing at Mauka N. Corner of this lot, 36 Ft. Makai of Lower Road to Waikiki, joining Joseph Booth's land - and running S. 30-30 W. 1 Ch. 56 Ft. along J. Booth's land to W Corner of this - Thence S. 67° E. 1 Ch. 55 3/12 Ft. along Makai side of this lot to S. Corner - Thence N. 31° E. 1 Ch. 59 5/12 Ft. along land leased by the Am. P. Mission to E. Corner of this

lot. thence N. 68° 15' W. 1 Ch. 55 3/12 Lks. along Mauka side of this lot to place of Commence-ment. including an area of
Sept. 1848 Fathoms 406. feet 3.

Broad St. Wall 12 i



Joseph Booth

J. Booth

1/2 x 2 S

Board of Commiss.rs for Land Claims.
Adjudication of Claim No 213 James Voules Jr.

To incidental Expences and action of Board on this Claim 1st September 1848 2
" Citation 50 Lks draft-deposition reduced and Copy of deed $6 3
" Ds. Testimony red.d and Eng.d 1 Sh. " $2 1 50
" Survey 5 Lks engrossed same $2 - $1 6
" Report of Commissioners this day rendered in the above Claim 5

17 50

Kate Kauwila
September 16 1848

L. Kaauwai
H. Smith.

Claim № 215. Henry L. Brooks.

This a Claim to a certain piece of Land at Wailuku - Maui - Known by the name of "Makole," together with a certain fishing ground - named "Papauku".

This Claim is based upon a Mutual agreement made and entered into between the Claimant and his Majesty on the 26th of October 1840, which agreement renders Claimants title perfectly clear - This agreement We Confirm, and award to the Claimant a title to this land and fishing ground in the words of said agreement: which is as follows:-

"I Kamehameha III hereby transfer. Forever to Henry L. Brooks a certain piece of land in Wailuku, named Makole. The land shall belong to him and his Hawaiian born heirs for evermore. I Kamehameha III do further give to him a certain fishing ground, named Papauku which fishing ground shall belong to Henry L. Brooks during his natural life; and then it shall revert to Kaunuohua or her heirs: said ground shall not descend to the heirs of Henry L. Brooks.

Kamehameha III further agrees that said grounds shall never pay any tax nor rent; nor shall the people be required to labor for the King, until the natural life of said Brooks shall end; after which, taxes shall be paid, and the people shall labor like the people of other lands.

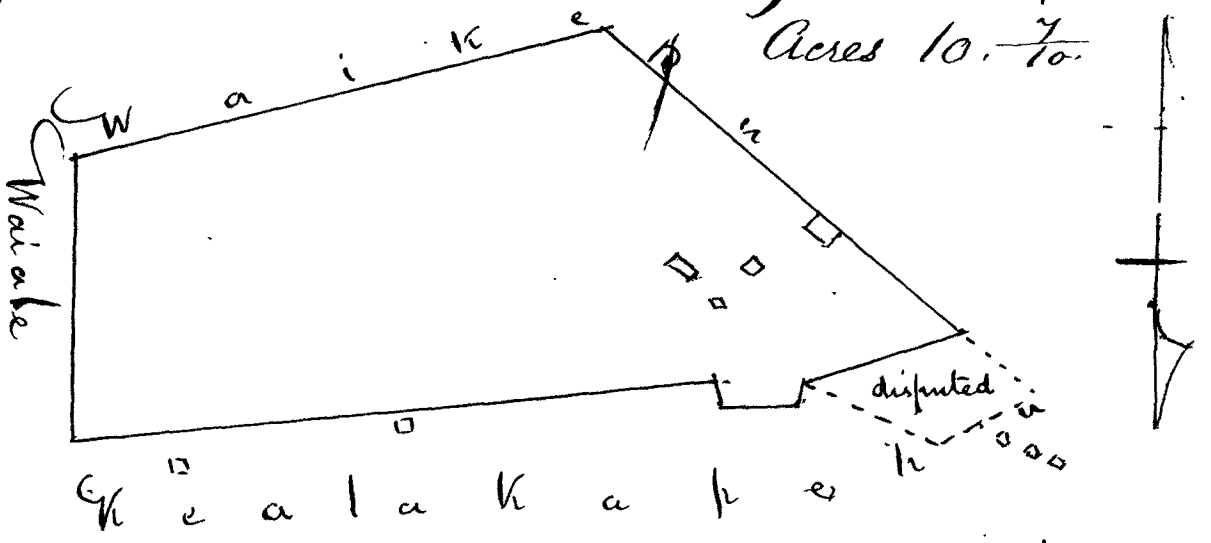
And Henry L. Brooks agrees on his part, that he will Continue to labor for the King as he has done previous to the date of this Instrument; but the number of days which he shall be required to labor in one Year shall never exceed Forty.

In Testimony of our mutual assent to this agreement we have hereunto subscribed our names on this 26th day of October 1840 at Lahaina Maui

Ike Maka
Kamehameha III
Iona Kapena
Kekauluohi
Wm Richards.
H. L. Brooks

270

The boundaries of this land and fishing ground are described in the annexed Survey of J. Metcalf of 23d Jan'y 1847. "Commencing at N.E. Corner of this by stone wall at Road, joining Kealakapehu on N. & Waiale on E. side and running S. 1° 45' E 5 Ch 52½ Lks. along Road the boundary line between this land and Waiale to stone in gutter on makai side of Road - Thence S. 75° 15' W. 11½ Ch. along line between this & land called Waikepu to stone left side of Road, angle - Thence N 52° 45' W 6 ch. 25 lks. to S. W. Corner of Bullock Pen. Thence N. 48° 30' W. 3 Ch. 53 3/12 Lks. along Mauka side of Road between this land and Waikepu to stone. Thence N. 68° E. 64 Lks. to inside of wall. - Thence N. 78° E. 2 Ch 51 lks. along Kealakapehu to Corner of Kalo patch near Lau-hala tree - Thence N. 11° E. 29 3/12 Lks. along mauka side Kalo patch to Corner - Thence N 89° E. 1 Ch 39½ lks along N. side of Kalo patches to Corner. - Thence S 14° 15' E 29 8/12 Lks. back again - Thence N. 85° 30' E. 6 Ch 38 3/12 Lks. along between this land & Kealakapehu to stake near house - Thence N. 82° 30' E. 7 Ch. to place of Commence! - including an area of Acres 10. 70.



William L. Lee
Surveyor
H. Hawaiian Is.

Mahuaka

Board of Commissioners for Land Claims

Adjudication of Cl. No 215 Henry C. Brooks

		$	¢
To Incidental expences $1 & action of Board 22 Feb'y 1847		2	
" Citation 50 Cts - draft-deposited & Engd & Lks $1.50		2	
"	Testimony Lks	3	
" Engrossed Copy of Survey by J Metcalf received Lks. Cl. Lks		2	
Report of Commissioners this day Rendered in this Claim		5	
	$	14	

Note Kaiwiula
25 July 1848

Claim N° 230. William Walker

This a claim for a life ~~Estate~~ in a land situated in the district of "Koolau poko"; within the large land of "Waiahole", Island of Oahu; and known by the name of Chihi.

From the testimony of Governor Kekuanaoa, it appears that the King gave the land "Chihi" to the Claimant in the Year 1840, to hold during his natural life; in Considerations of services rendered by Claimant as seaman on board of his Majesty's Vessel "Don Quixote"

The Title of the Claimant is placed beyond dispute by the testimony above referred to of Gov^r Kekuanaoa who put the Claimant in possession of this land, agreable to the orders of the King; and we therefore award to him William Walker, a life estate in the land "Chihi": provided however that the said Walker is to respect the rights of such tenants as have lived on the land from a period prior to the Year 1840.

The boundaries of this land "Chihi" are described in the annexed Survey of T. Metcalf.

This claim is identical with N° 105 previously awarded

Claim No 636 Aiona.

This claim having been satisfied in a mutual arrangement between the Claimant and R.G. Davies the Counter Claimant in No 189. the following are the costs accruing to the present party. Aiona.

See Page 251.

Incidental Expences &c			
Action of Board on 21 February 1848		1	
Citation			50
do. Deposition reduced	£1		50
do. testimony reduced & engrossed	£6	4	50
Costs paid to Pres.t Jan 15. 1848 and Cant.e to Acc.t J.H. Smith Lee.		7	50

Claim No 6506. Ahu

This claim having been merged with costs in Claim No 62 John and George Rives, no further reference is necessary than to that award for particulars.

See Page 231.

Cl No 106. William Walker.

This claim has been heard by the Commission on 7 October 1846. and on the 10th of May 1847 was disallowed; and the lot included therein formally awarded to the French Catholic Mission under Cl. No 40.

See Page 142.

Claim № 241. Soloman D. Burrows.

This is a Claim to a House-lot situated in Lahaina Island of Maui.

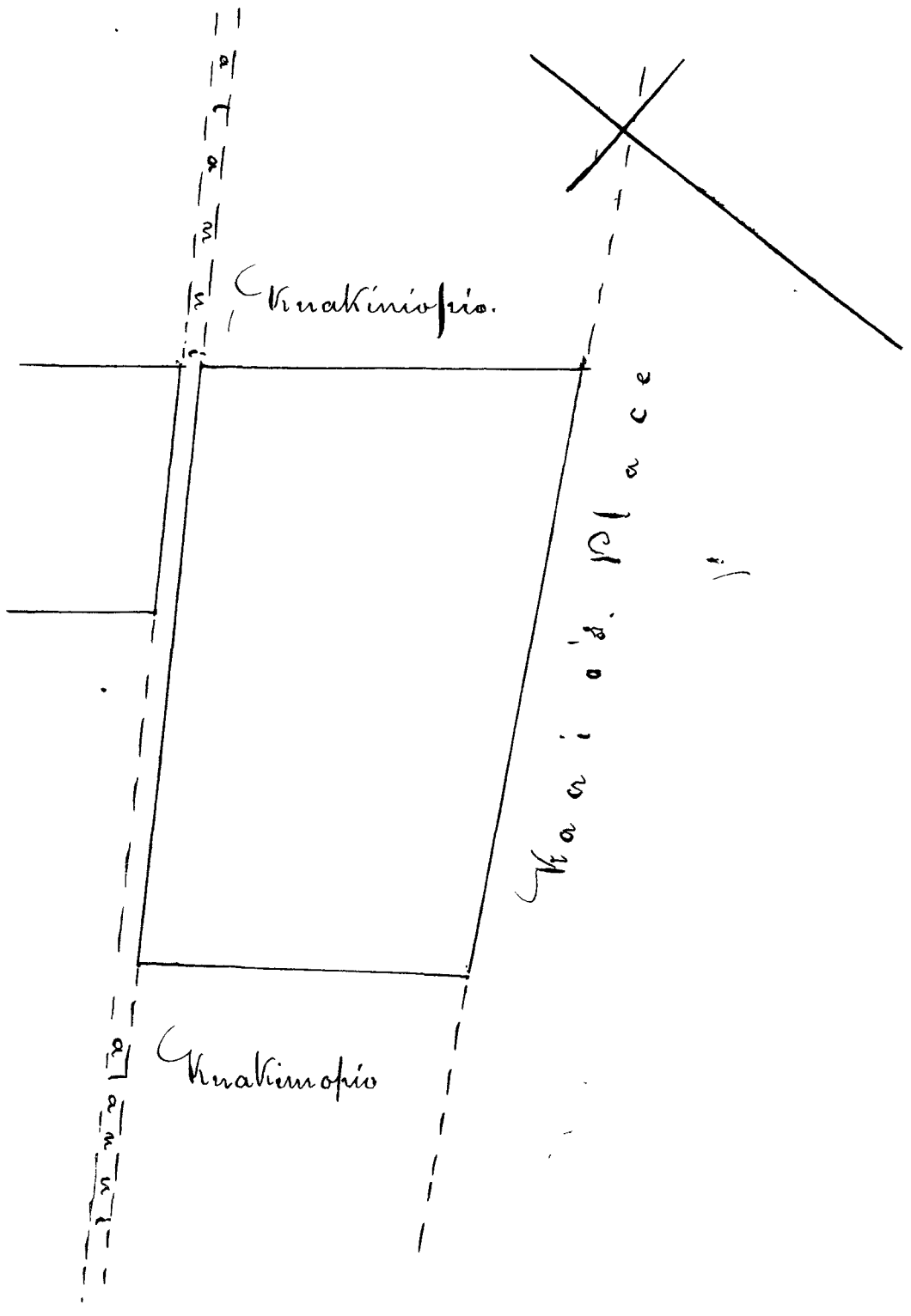
The only testimony offered in this Claim, is that of James Nowlein, father-in-law of Claimant, who testified that this lot was given to the Claimant about the Year 1839 by Hoapili, then Governor of Maui; and that he has had possession of the same from that time to the present.

The Board being of opinion that this testimony is sufficient under the 1st Rule of the Board, to entitle the Claimant to a Freehold Estate less than allodial in this lot - they accordingly award to him, Solomon D. Burrows a Freehold title less than allodial; or in other words a life-estate in this lot, which he may Commute for a fee-simple in accordance with the law.

The boundaries are described in the annexed Survey of Theophilus Metcalf "Notes of a Survey of Wainee ——— Commencing at stake N. Corner of this land on boundary line between this and a land owned by Kuakiniopio, and on S. side of alanui, and running S. 60° W. 3 Ch. 49½ Lk. along S. side of alanui to stake. thence S. 33° E. 2 Ch. 8 in: along boundary line between this and Kuakiniopio land on Makai side of this - thence N. 65° 30' E. 3 Ch. 57 3/12 Lk. along N. side of Mud wall. the boundary line between this and a land said to be owned by Kaaio to stake - thence N. 35° W. 2 Ch. 22½ Lk. along line between this land & Kuakiniopio on mauka to place of Commencement - including an area of 988 Square fathoms.

Oct. 27. 1846.

274



Board of Commissioners for Land Titles

Adjudication of Claim № 211. Soloman D. Barrows

To Incidental expences &c. 1. Action of Board 22 Feb 1847 $ 2

" Citation 50 cts draft-deposition Reduced

" including Copy engrossed of Survey by Metcalf

" Received from Claimant $ 2 50

Report of Commiss.rs this day Rendered in the above Claim 5

9 50

Kaie Kauwila
25 July 1848

William L. Lee
Loeanoki
L. Kaapuai
C. Varnum
H. Smith

Claim No 251. Kaumaka - by Thos Cummins.

This is a claim for a certain land situated in Nuuanu Valley - Oahu - called "Kaipu".

The Claimants title to this land is based upon the following lease, made & entered into between K. E. & Makaio Kekuanoa and Kaumaka on 30th day of March 1840 - and afterwards approved by his Mt. Kamehameha III and the late Premier Keliaulioki on 3rd of April following. The aforesaid lease is written in the Hawaiian language but an english translation of the same has been made by His Honor Lorin Andrews - interpreter to the Board, which reads as follows: —

"Article of agreement and Consent between Kekuanaoa and Kaumaka.

Herein we agree with the said Kaumaka - There has been given to the said Kaumaka a certain lot of Land in the Valley of Nuuanu: The following are the boundaries. the measurement beginning at the North east Corner where it joins the Land of H. Pierce; thence 7 Chains to a stream of water; thence running North West 15 Chains along the said stream toward the Sea, till it reaches the Road running to Waolani: thence running to the South west - 11 Chains & 30 links: thence running to the South east - 14 Chains & 18 links, ascending inland along the road unto the first-mentioned point - Those are the boundaries of the said lot -

"The said Kaumaka may reside there in peace and no one shall resist her planting within said lot - if she shall die, it will descend to her Children by Kamaki (Thomas Cummins) and if the Children die it will descend to Kamaki (Thomas Cummins) and when he dies, then it will descend to the Chief to whom the land belonged before; and together with it, the property houses, and all other things on said land. Besides this she is not to sell to any other person.

In Consideration of this, fifteen dollars is to

be annually paid.

Done at Honolulu this 30th day of March 1840.

Witnesses. Paki
Paulo Kanoa
Iona Kapena.

Signed Mataio Kekauanaoa
Kaumaka.

We assent to this agreement

Witnesses
Paulo Kanoa
Iona Kapena.

Signed Kamehameha III
Kekauluohi

We hereby declare the meaning of this document- The land is fully transferred to Kaumaka as hers, and to her descendants, being Hawaiian born subjects: but in case she should die Childless, or her children after her die without "Hooilina," then the land will revert to the King.

Signed Kamehameha III
Kekauluohi "

Personally appeared before me his Majesty Kamehameha III and acknowledged that he had affixed his name in conjunction with the late Premier, Kekauluohi to the foregoing instrument (in the several instances in which their names occur) for the uses and purposes therein set forth.

In testimony whereof I have hereto set my hand & affixed my seal of Office this 6th day of October 1847. at Honolulu.

Seal.

Signed John R. Jasper
Principal Notary for
H Islands. "

In making our award on this Claim, the Board must be governed explicitly by the above Instrument and agreably therewith, we do award to Kaumaka (the Wife of Thomas Cummins) to hold to herself

and her descendants, being Hawaiian born subjects, forever this land- upon the annual payment of fifteen dollars to Mataio Kekuanaoa and his heirs. But the above award to Kaumaka is made upon this express condition namely, if Kaumaka die Childless, or her Children after her, die without Heirs - then the land is to revert to the King.

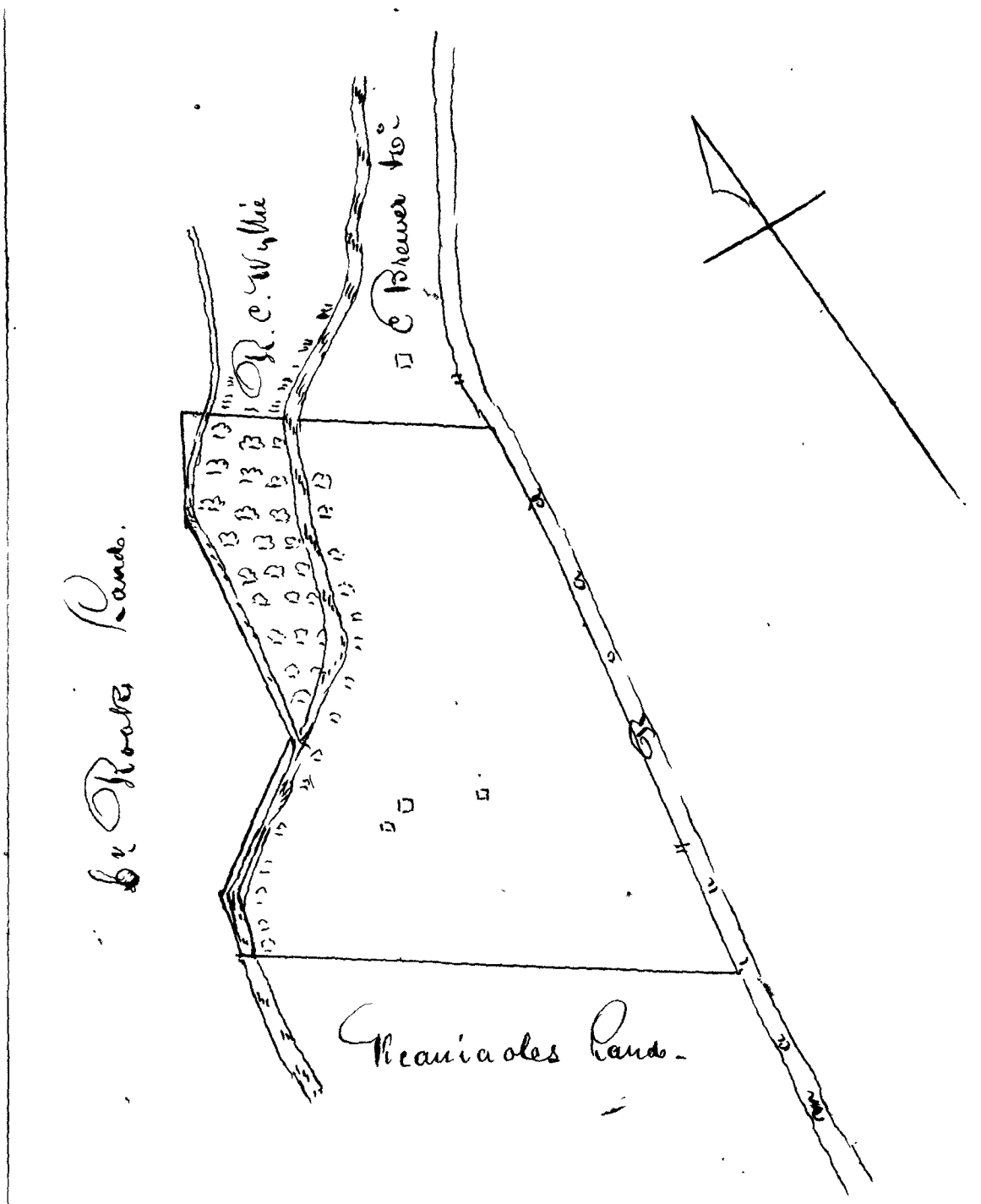
The boundaries of this land, as described in the lease, being very indefinite- the Board ordered a new survey of the Land to be made by Theophilus Metcalf- on 27 Dec^r 1847- which survey as hereunto annexed is Confirmed by this Board as the true survey of said land.

"Kaipu- Nuuanu

"Commencing at Makai S. Corner of Stone wall enclosing this land on main road & running N. 45° 15' W. 9 Ch along Wall & Kauaole's land to Slight angle in wall- thence N. 42° W. 3 Ch. 11 10/12 Ft. along wall to stake on N. edge of Stream at D^r Rookes land- the Makai W. Corner of this- thence N. 34° 15' E. 1 3/4 Ch along N bank of stream to bend- thence N 68° 15' E. 4 Ch. to bend of stream- thence N. 17° 30' E. 5 Ch 62 8/12 Ft. along bank of stream to bend- thence N. 26° 15' E. 2 Ch 62 Ft always along D^r Rookes land. to stake by N. Edge of stream at Maukia N. Corner of this- thence S. 41° E. 2 Ch. 52 8/12 Ft. along Makai side of R. C. Wylies land. to Makai W. Corner of C. Brewer 16 ^or lot- thence S. 43° 30' E. 4 Ch. 51 Ft. along C. Brewers to main Road- the Maukia E. Corner of this- thence S 17° W. 3 Ch 10 7/12 along Road to slight angle in wall- thence S. 20 3/4 W. 11 Ch. 43 Ft. along Road to place of Commencement- including an area of Acres 12 83/100

Dec^r 27. 1847.

William L. Lee
D. L. Smith
Surveyors



Claim № 252. Thomas Cummins.

This is a claim to a lot in Honolulu. The foundation of this Claim is a lease of the land from Paki on 7th of March 1842. the english translation of which lease is as follows:-

" I Paki hereby lease a tract of land lying in the Village of Honolulu. the following are the boundaries of said land: beginning at the S. E. Corner and running to the N. E. 33 ft. the width; thence running to the N. W. 63 ft. the length; thence to the S. W. 42 ft. the width:-

thence to the first-named point 67 feet the length. the above are the boundaries of the said land.

This land is to become the land of Thomas Cummins a place of Residence for himself, heirs & assigns, to live in peace for the term of 25 Years from the day of signing this agreement. He shall not distil spirituous liquors nor sell them upon the said lot; and he shall pay the said Paki, or his Heirs & assigns, to whom the land belongs, the sum of 75 dollars each Year, for the term of 25 Years mentioned above; and then the land & houses, Yards & all other property on said land shall revert to Paki, or his heirs or assigns.

As evidence of the mutual Consent of the Parties above named, we hereby bind ourselves, our heirs & assigns, for the faithful performance of the above obligations; and hereby subscribe our names this 27th day of March 1842.

Witnesses John Wm P Paalua Signed Paki
P. Kanoa. Thomas Cummins.

We hereby give our Consent to the above written agreement.
Witness to approval Signed Kamehameha III ( )
P. Kanoa. ( ) Kekauluohi

"Personally appeared before me his Majesty Kamehameha III and acknowledged that he had signed his name in Conjunction with the late Premier, Kekauluohi, to the foregoing instrument, for the uses and purposes therein set forth.

In test.y whereof I have hereto set my hand and affixed my seal of Office this 4th day of October 1847 at Honolulu.

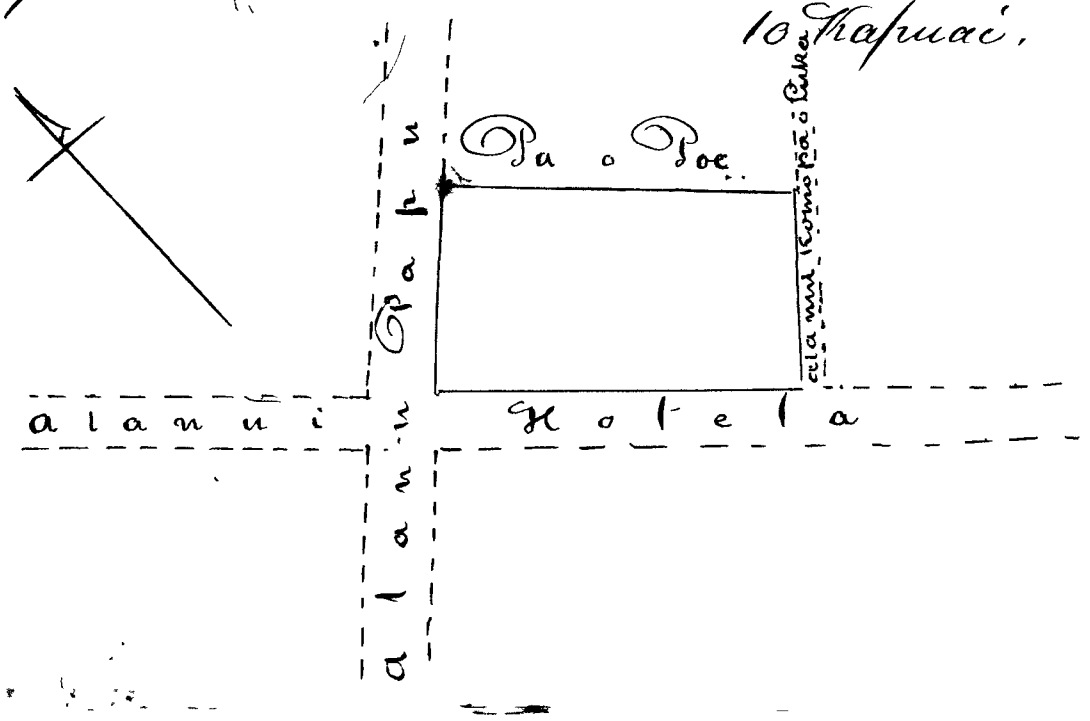
John R. Jasper
Principal Notary for H. Islands."

The genuineness of this Lease is beyond question and we do hereby Confirm the above lease; and award the said lot to Thomas Cummins his heirs & assigns

to have and to hold for the period of 25 Years from 27th March 1842, according to the terms of said Lease.

The boundaries of this land as set-forth in the Lease being very indefinite, a survey is hereto annexed as made by D. Kalanikahua by order of the Board, which we hereby Confirm as the true boundaries of said lot dated 11 Sept. 1848

"Ke kii o ka pahale o A. Paki i hoolimalima i me Thomas Cummins ma Honolulu i Oahu, mauka o ke Alanui hotela; ma Waikiki hoi o Ke Alanui Papu. E hoomaka ana i ke ana ana ma ka lihe ma Waikiki o ke alanui Papu ma ke kihi komohana hoi o ka pa o Poe. ma ke kihi akau hoi o Keia pa. A moe aku ka aoao mua Hema 41° 45 Komohana 39 7/12 Kapuai, a hiki ma ka lihi mauka o ke alanui Hotela; alaila, huli hema 53° 45 hikina 1 kau lahao 1 1/2 Kapuai, a hiki ma Ka lihi ma Ewa o Ke alanui e pii ai i ka pa o kauka Luka e pili ana ia aoao i Ke alanui hotela alaila; huli akau 34° Hikina 35 Kapuai e holo ana ia aoao ma ka lihi ma Ewa o ua wahi alanui hele la i kahi o Kauka Luka a hiki ma Ke kihi hema o ka pa o Poe, alaila, huli ae a holo aku i kahi i hoomaka'i Ke ana ana i ka akau 48-30 Komohana 63 Kapuai. Eia ka ili 68 Anana 10 Kapuai.



Board of Comm^rs for Land Claims

Adjudication of Claim N^o 251 Kaumaka &c

To incidental expences of Commission		1	
" action of Board in this Claim on 20 September 184[illegible]		1	
" draft deposition engrossed with Copy of deed	$3	1	50
" Citation 50^cts engrossing Copy of J. Metcalf's Survey	$3	1	50
" Report this day Rendered on the above Claim by Comm^rs		5	
	$	10	

C. N^o 252 A. Paki &c.

" Incidental expences and action of the Board on 20 Sep 1849		2	
" Citation 50^cts dr. depn^t included deed $3 - $1.50		2	
Survey and engrossed Copy	$2	3	50
Report of Commissioners this day Rendered on this C^t		2	50
	$	10	

Kate Kawila
10 September 1848

L. Kaauwai
J. H. Smith

Claim N^o 264. Thomas Cummins.

This is a claim to a land in "Pawaa", in the district of Waikiki, Oahu; and known as the "Old Allen Place."

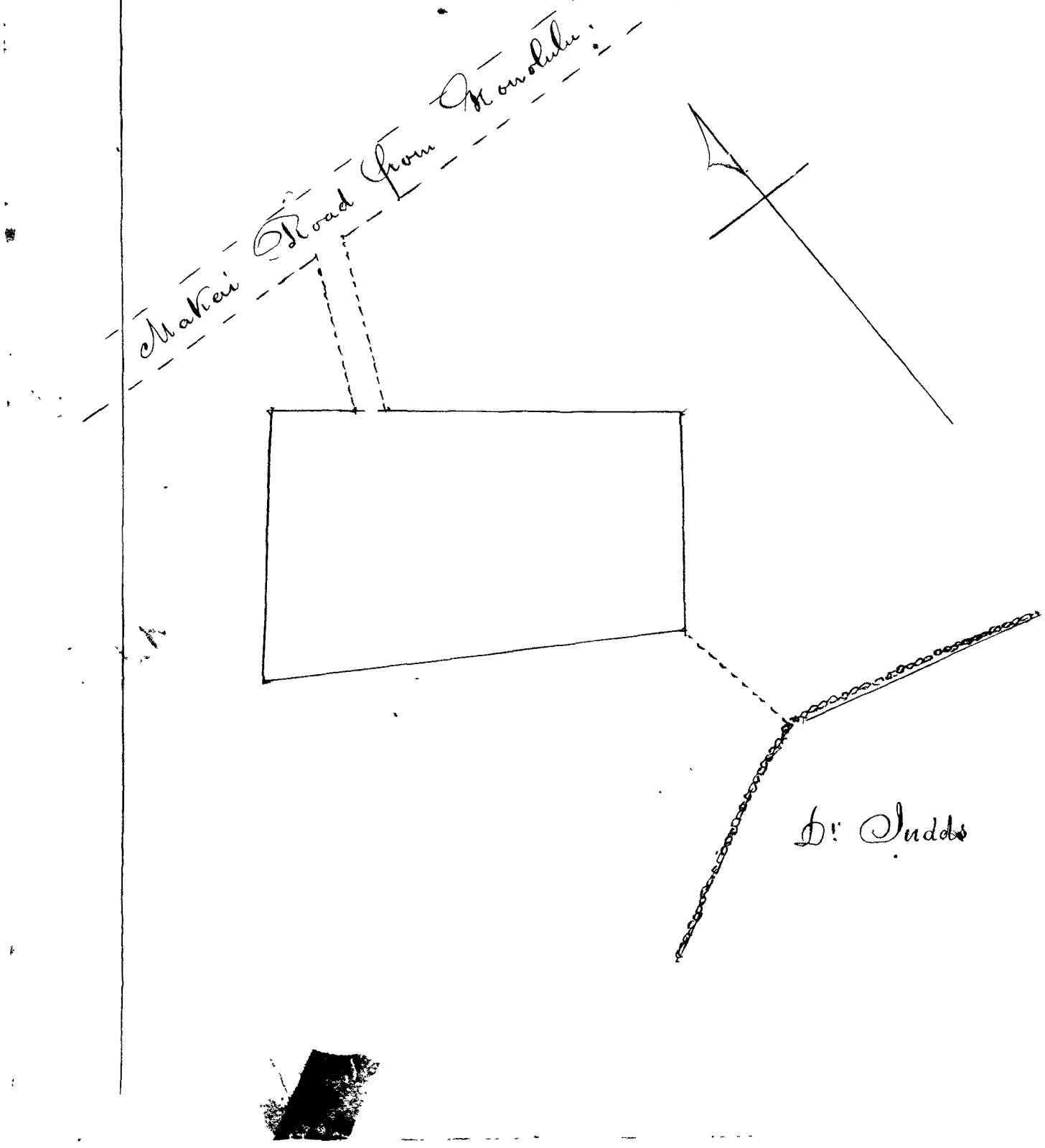
From the testimony taken on this Claim, it appears that this place was given to the father of George C. Allen, Anthony D. Allen, and Sally Allen, in the time of Kamehameha 1st by an old high priest named Hewa-hewa. That after their fathers death, it was permitted to descend to his Children; and that the Children, namely George C. Allen, Sally Allen, and Anthony D. Allen Conveyed all their rights in said place to Claimant, by deed on the 6th day of November 1845, in Consideration of the sum of 400 dollars.

This Claim is a clear one, Coming under the first Rule of the Board; and we therefore award to Thomas Cummins, a Freehold Estate less than allodial, or in other words, a life Estate in said place, which may be Commuted for a fee-simple as the law prescribes. The boundaries of this lot

are fixed and described in the annexed Survey of
T. Metcalf Esq^r

"Old Allen" Place in Tawaa Oahu"

"Commencing at N. Corner of this lot & stone wall enclosing it, and Running S. 47° 30' W. 4 Ch. 2 8/12 Ft. along wall to W. Corner thence S. 50° 15' E. 6 Ch. 7 3/12 Ft. along wall to S. Corner & to wall leading to N. Corner of Dr Judd's lot thence N. 46° 30' E. 3 Ch. 10 Ft. along wall to E. Corner thence N. 42° W. 4 Ch. 43 Ft. along wall to N. Side of gate thence N. 43° W. 1 Ch. 23 9/12 Ft. to place of Commencement taking in all surrounding walls, and including an area of Acres 2 Fathoms 181 1/2
March 20. 1847."



Board of Commissioners for Land Claims
Adjudication of Claim № 264 - Thomas Cummins Dr

To Incidental expences		$ 1	2
" Citation 50 Cts. - draft-depos.ns Reduced		$ - 2	2 50
" draft-Testimony Recd. & Engd. 24 Novr. 1847 and on 28th June 1848		$2	1 50
" Survey by J. Metcalf			5
" Engrossing Copy of Survey		$3	1 50
" Report of Commissrs. this day Rendered in the above Claim			5
		$	17 50
	Survey Paid		5
		$	12 50

State Kauwila
25 July 1848

William L. Lee
Agent
D. Kaunuai
of Kamanu
W. Smith

Claim № 259. Powell Smith.

This is a claim for a certain house lot in Nuuanu Valley, Oahu.

The foundation of this Claim is a lease made and entered into between Kinimaka and Claimant, on 1st of September 1842 with the written Consent of H. M.y Kamehameha III and Kekauoloki late Premier.

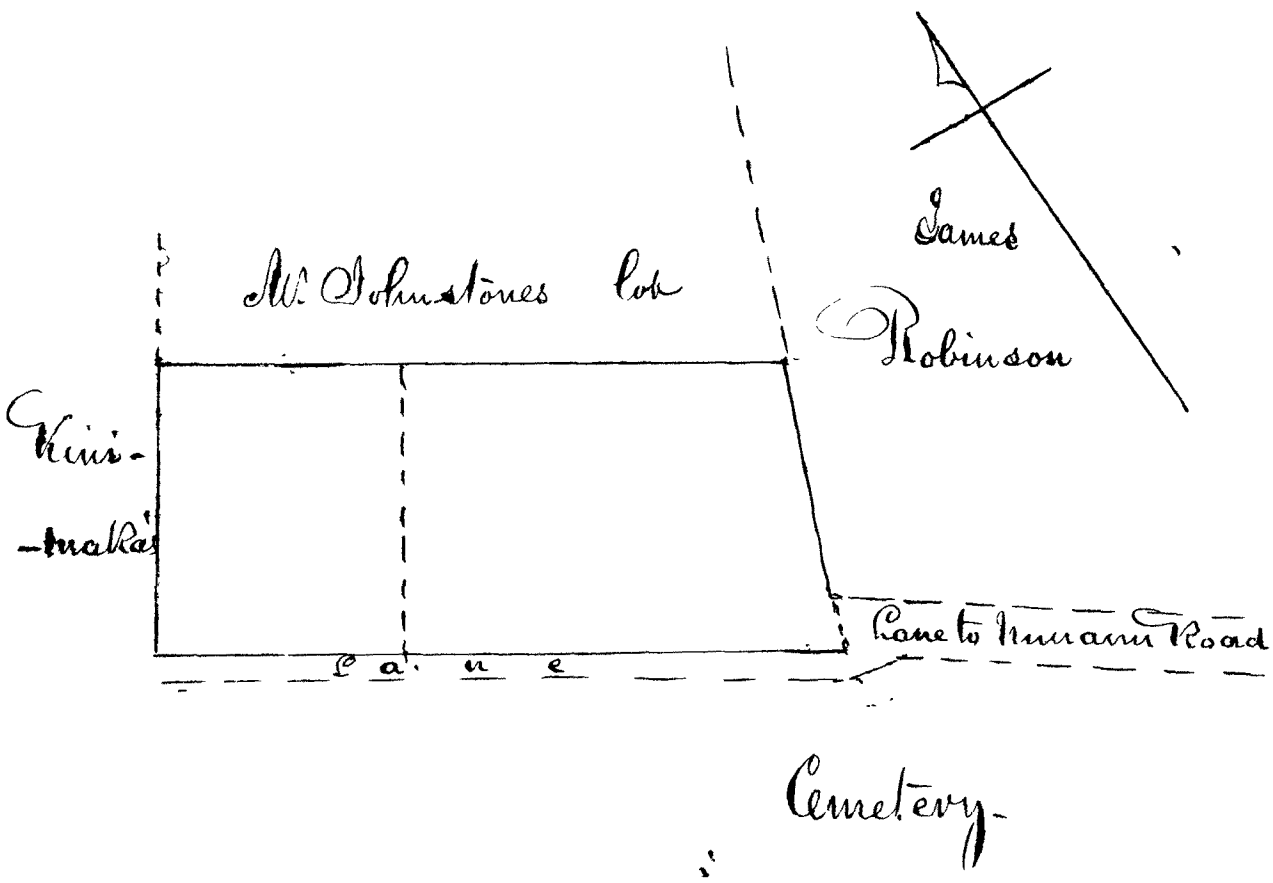
By the terms of the aforesaid lease on file with the Board, the Claimant is to have the peaceable enjoyment of this land for the period of 25 Years from 1st Sept.r 1842; upon the Condition that he makes the annual payment of 5 dollars Rent to Kinimaka, his heirs and assigns, and shall not distil or sell any Spirituous liquors on said land.

The Board being of the opinion, upon the Testimony taken, that Kinimaka, the Lessor, had sufficient Right and authority to make this Lease, do hereby award to the Claimant, his heirs & Successors, a Leasehold interest

in this land (as its boundaries are described in the annexed Survey of J. Metcalf Esq^r) for the period of 25 Years from 1st of September 1842 upon the terms expressed in said Lease.

"Lot in Maemae-Nuuanu"

"Commencing at Mauka E. Corner of this lot joining Mr Johnstons and James Robinsons lots. and running S. 22° W. 1 Ch. 43 Lk. along James Robinson's lot and to Lane between this & Cemetery, the Makai S. Corner of this lot. thence N. 54° 30' W. 2 Ch. 23 Lk. along Lane to slight angle. thence N. 53° W. 1 Ch. 27 Lk. along Lane to Makai W. Corner of this lot. thence N. 35° 30' E 1 Ch. 31 1/12 Lk. along Lane Claimed by Kiniuaka to Mr Johnstones Place at N Corner of this. thence S. 56° E. 3 Ch. 25 8/12 Lk. along the Johnstone place to point of Commencement. Including an area of 7 Fathoms 680 feet. 17. March 3. 1848.



Board of Commissioners for Land Claims

Adjudication of Claim No. 259 Rev.d Lowel Smith

To incidental expences #1. To Action of Board 29 Sep.r 1847	#1		2
" Citation 50 Cts draft depos.n Lease reduced	$3		2
" Draft Testimony reduced & engrossed 29 Sep.r	$1		75
" Survey by J. Metcalf			5
" Engrossing Copy of Survey	$2		1
Report omitted in Charges by order of Board			10 75

William L. Lee

Hale Nauwila — Isaaedi

25 July 1848 — L. Haaumai

J C Namauu

Costs directed to be assessed on the Owner of the Land.

Claim No 262. George K. Bush.

This is a Claim to a house lot in Honolulu situated at the corner of Hotel & Cross Streets.

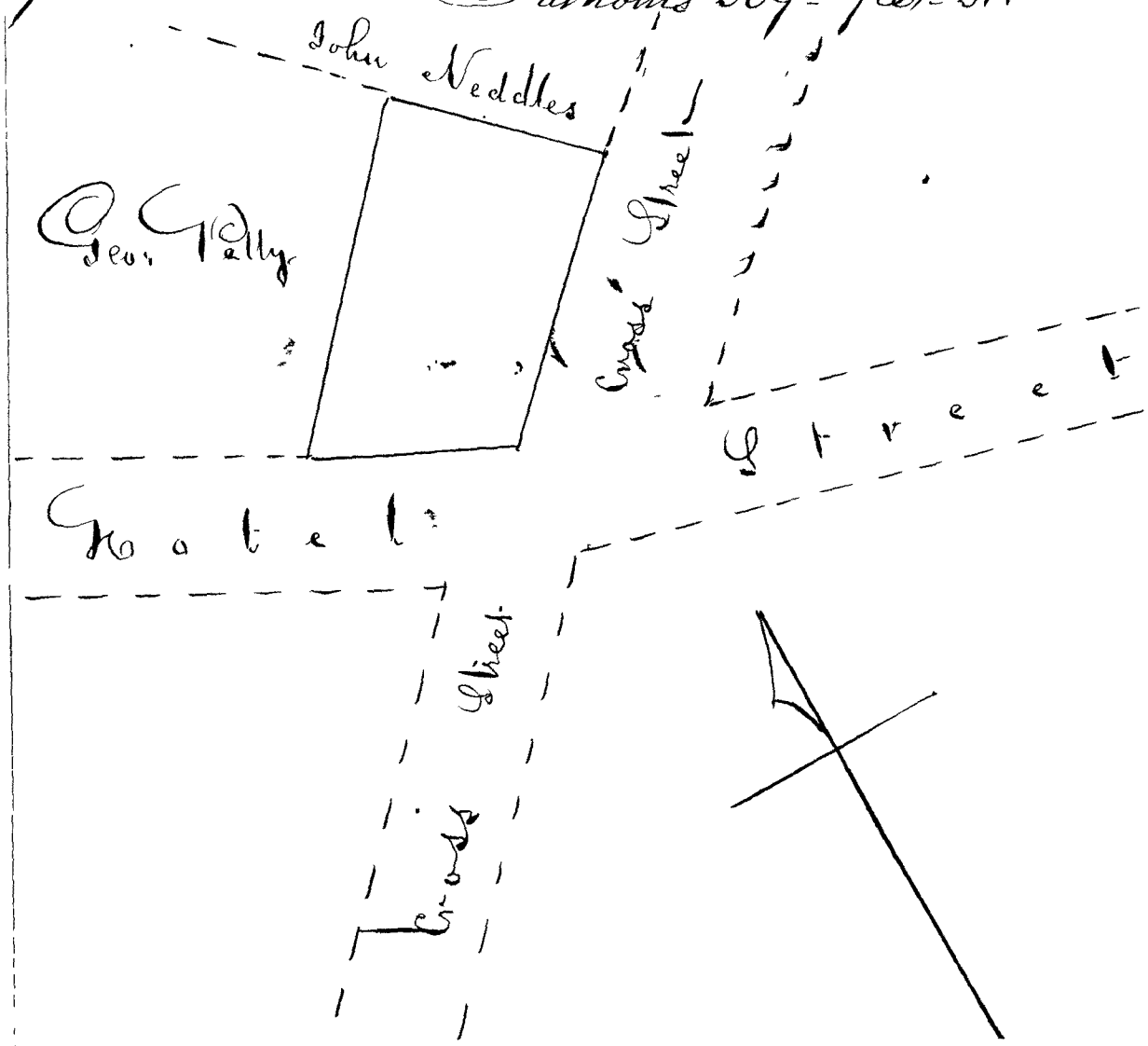
From the Testimony taken in this claim on 29th of September 1848, it appears that this place was originally given to James Robinson by Kalaimoku, and that afterwards in the Year 1829. Robinson Sold this place to Richard Ridley who afterwards sold it to Thomas Gandal and Samuel Kimball: That Kimball and Gandall Sold it to the Claimant on 13th of March 1833. who has ever since occupied it in peace & quietness.

The case is a clear one Coming under the 1st Rule of the Board. The Gift was a verbal one from Kalaimoku to Robinson; and like all the native gifts of those days Conveyed no greater title than a Freehold or life Estate. We therefore award to the Claimant George K. Bush a freehold estate less than allodial, or in other words

a life estate in said lot; which he may convert into a fee-simple by Commutation as prescribed by the law.

The boundaries are as described in the annexed Survey of T. Metcalf Esq" of 28 Feb'y 1848.

"Commencing at makai W. corner of this lot on mauka side of Hotel Street joining G. Pelly's dwelling house lot and running S. 67° E. 1 Ch. 16 2/12 Lks. along Hotel Street & Cross Street at S. Corner of this lot - thence N. 44° 45' E. 1 Ch. 31 8/12 Lks. along Cross Street to Corner of house in this lot at slight angle - thence N 43° 30' E. 14 1/2 Lks. along Cross Street to mauka E. Corner of this lot & John Neddles lot - thence N. 47° 15 W. 1 Ch. 17 2/12 Lks. along John Neddles lot to G. Co: Pelly's at N. Corner of this - thence S. 41° 30 W. 2 Ch. 11 2/12 Lks. along G. Pellys lot to place of Commencement - including an area of Fathoms 289 - Feet 21."



Claim N° 261. George Bush

This Claim has been superseded & withdrawn - See Testimony vol II Page 26.

Board of Commissioners for Land Claims
Adjudication of Claim N° 262. George H Bush Dr

To Incidental Expences of Commission		1	
" Action of Board on 29th September 1847		1	
" Citation			50
" Draft deposition reduced	$4	2	
" Testimony rec.d & eng.d " 29 Sept.r	$3	2	25
" Survey of J. Metcalf		5	
" Engrossing Copy of Survey	$3	1	50
" Report of Commissioners this day Rendered in the above Claim		5	
		18	25

Santa Barbara
25 July 1848

William L Lee
Secretary
L. Vallejo
C.C. Ramirez
M. Pinto

Claim № 86 Thomas Phillips.

This is a claim for a house lot in the Town of Honolulu, now in the use and occupation of Isaac I. Hart.

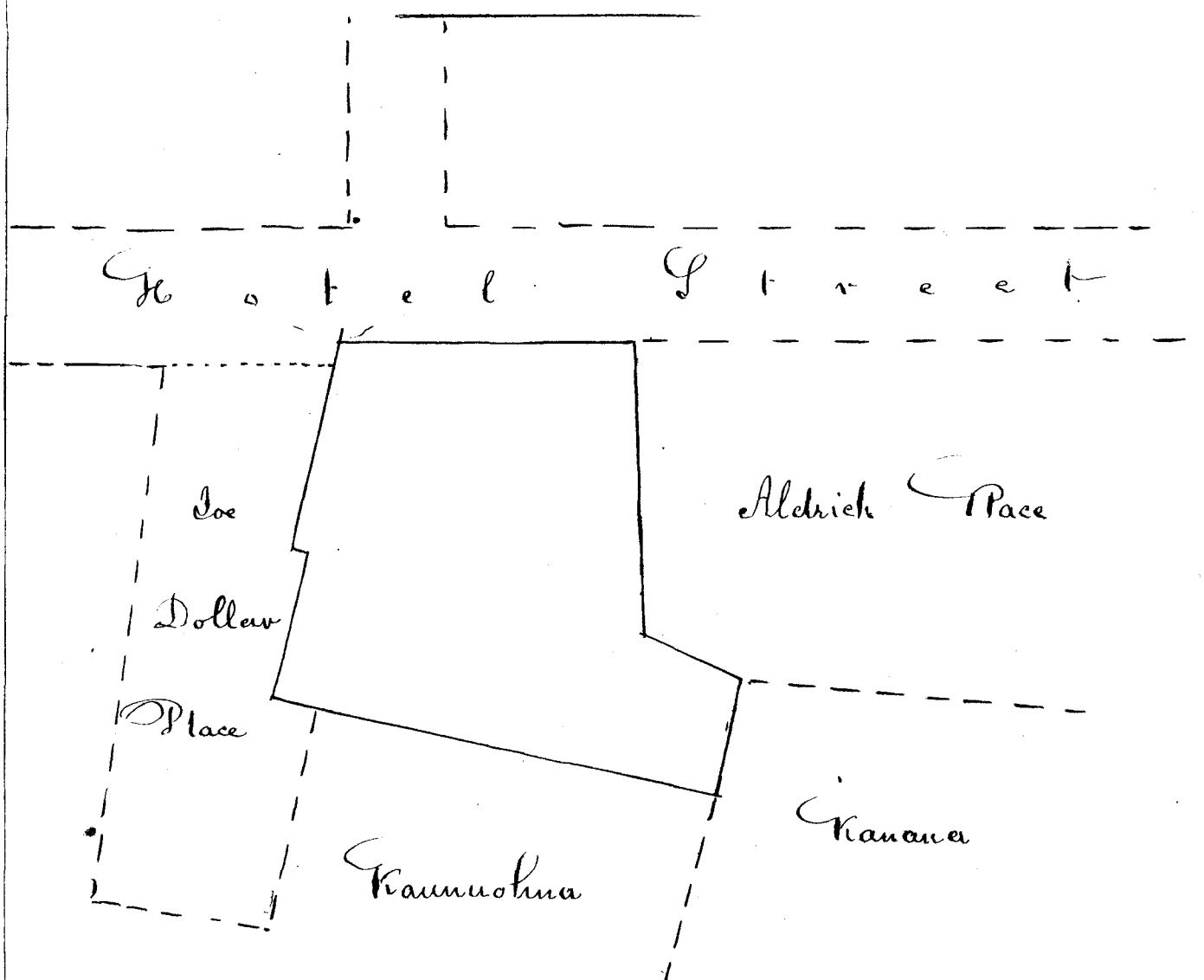
From the evidence taken, it appears, that this place was given by Governor Boki to William Dana, and that from Dana it has come down to the present Claimant through a Chinaman, George Anderson, and James Robinson: that all of the above named owners have occupied these premises in peace; and that they are now in the peaceable possession or ownership of the Claimant.

This Claim Comes under the 1st Rule adopted to guide the decisions of the Board, and we therefore award to the Claimant Thomas Phillips a Freehold estate less than allodial, or in other words, a life estate in said lot; which Freehold he may Convert into a fee-simple estate as prescribed by law. The bounds of this lot are defined in the annexed Survey of T. Metcalf Esq. made on the 16th of September 1846.

"Commencing at N. Corner of this lot, which makes a jog from E Side of the Joe Dollar Place into Hotel Street on Makai Side and running S. 62° E. 60 8/12 Ft. along Hotel Steet to the Aldrich place. thence S. 26° W 60 8/12 Ft. along boundary line between this & the Aldrich lot to wall abutting against Carpenters Shop: thence S. 50° E. 19 10/12 Ft. along Makai boundary of the aldrich lot to N. Corner of Kanana's (a native Woman) house lot: thence S. 39° W. 27 8/12 Ft. to S Corner of this lot - thence N. 50° W. 1 Ch 25 Ft. along line between this & Kaunuohua's to W Corner of this lot - jutting into the Joe Dollar place - thence N. 41° 30 E. 29 8/12 Ft. along between this & the Joe-Dollar Place to jog: then right angle to left 2 8/12 Ft. thence N. 37° 30' E. 43 ½ feet to place of Comm.--

taking in all surrounding Walls, and including an area of Fathoms 157. feet 4.

Sep 16. 1846.



Board of Commissioners for Land Claims

Adjudication of Claim No. 86 Thomas Phillips Dr.

		$		
To incidental expences &c of Commission			1	
Action of Board &c on 15 Sep.r 1846			1	
Draft depos.n reduced &c		$1		75
" Testimony do — 15 Sep. "		$1		75
Citation for Claimants attendance				50
Engrossing Copy of Survey by J. Metcalf		$3	1	50
Report of Commissioners this day rendered in the above Claim			5	
		$	10	50

Hale Kauwila
Aug 15. 1846

William L. Lee
W. Smith
C. Kanaina
Joanedi
L. Kaaumai

Claim No 275 Henry Zupplien.

This is a claim for 3 distinct pieces of land in the district of Palama, Oahu. These lands are called "Poe poe" "Kilikiliawa" (makai) and Kilikiliawa (mauka)

From the testimony taken, there can be no question of Claimants title to these lands: they having been given to him by Kamehameha I. and ever since occupied by him in undisturbed peace.

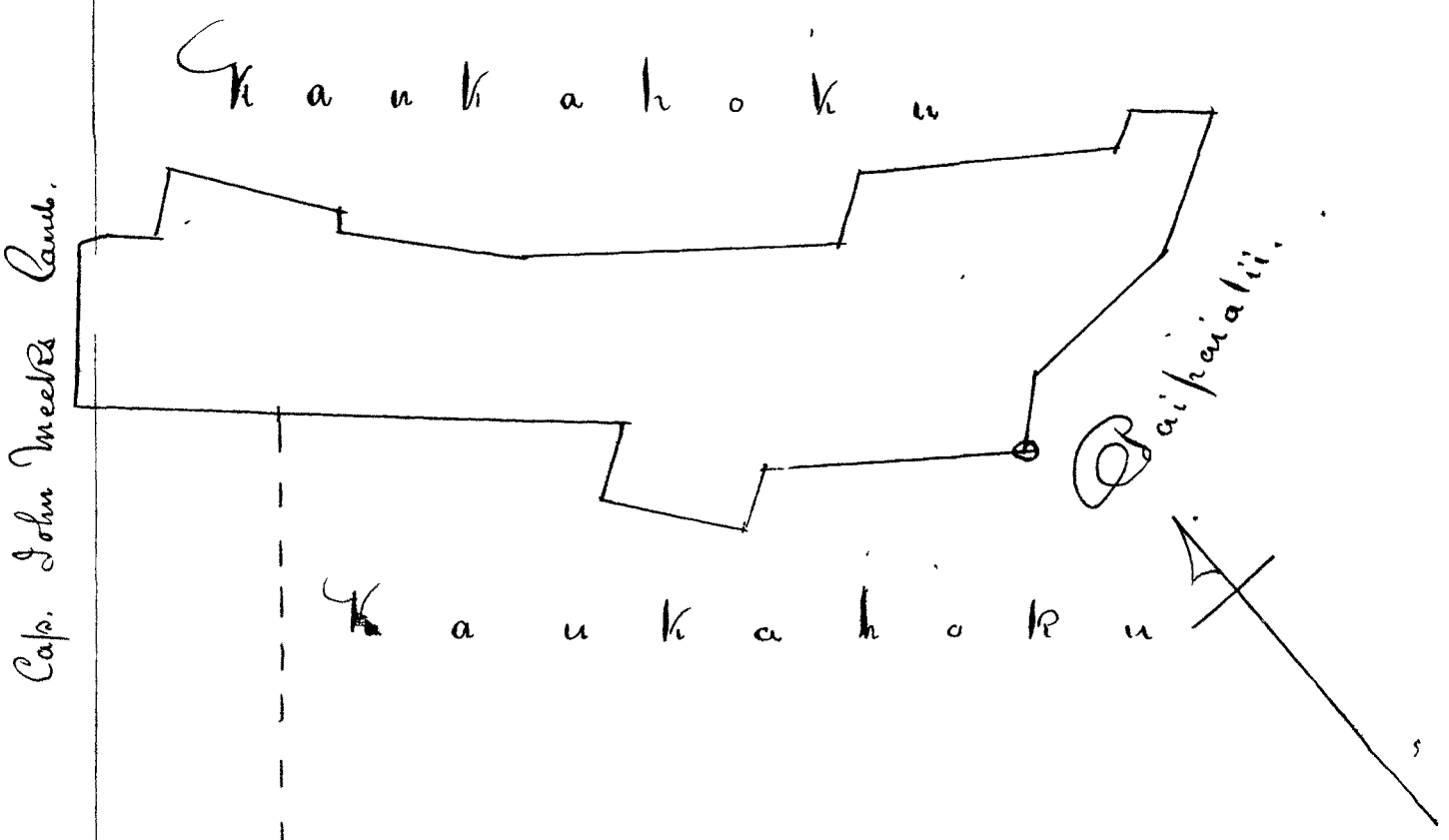
According to the first Rule of the Board the Claimants title is Clear; and we therefore award to Henry Zupplien, a freehold Estate less than allodial, or in other words, a life Estate in said lands; which he may Convert into a fee-simple title by Commutation according to the law. The boundaries of these lands are described in the annexed Surveys of J. Metcalf Esq. dated 23 February 1848.

"Poe poe"

"Commencing at Makai S. Corner of this land joining Paipaialii and Running N. 47° 15 W. 2 Ch 58 7/12 Lks. to Corner, Makai of House - thence S. 56° 45' W. 48 2/12 Lks. to Corner - thence N. 34° 30' W. 1 Ch. 31 8/12 Lks. to Corner - thence N. 57° 15' E. 57 5/12 Lks. to Corner: thence N. 41° W. 3 Ch. 43 Lks. to John Meeks land (Waiuonae) thence N. 42° 30' W. 2 Ch 9 3/12 Lks. along J. Meeks to W. Corner of this land - thence N. 45° E. 1 Ch. 41 7/12 Lks. along J. Meeks to N. Corner of this land. - thence S. 63° 30' E. 13 10/12 Lks. to angle - thence S. 39° E. 35 Lks. to Corner - thence N. 57° 30 E. 52 3/12 Lks. to Corner: thence S. 32° 30 E. 1 Ch 54 Lks. to Corner log; then offset - 11 2/12 makai to Corner of log - thence S. 35° E. 1 Ch. 54 7/12 Lks. to angle - thence S. 47° 30' E. 3 Ch. 37 Lks. to Corner - thence N. 58° E. 43 Lks. to Corner - thence S. 51° E. 2 Ch 54 7/12 Lks. to Corner - thence N. 76° 30 E. 30 4/12 Lks. to Corner - thence

S. 42° E. 55 3/12 Ch. to Mauka E. Corner of this land to Paipaialii - thence S. 65° 30' W. 1 Ch. 41 7/12 Ch. to angle - thence N. 88° W. 1 Ch. 52 Ch. to angle - thence S. 53° 30 W. 52 Ch. to place of Commencement, including an area of

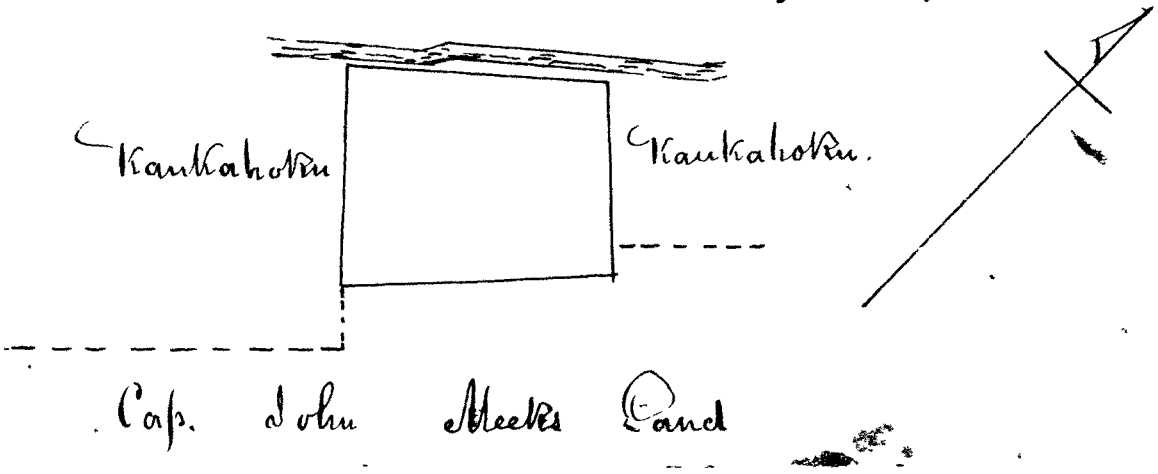
Acres 2 62/100



"Kilikiliawa makai"

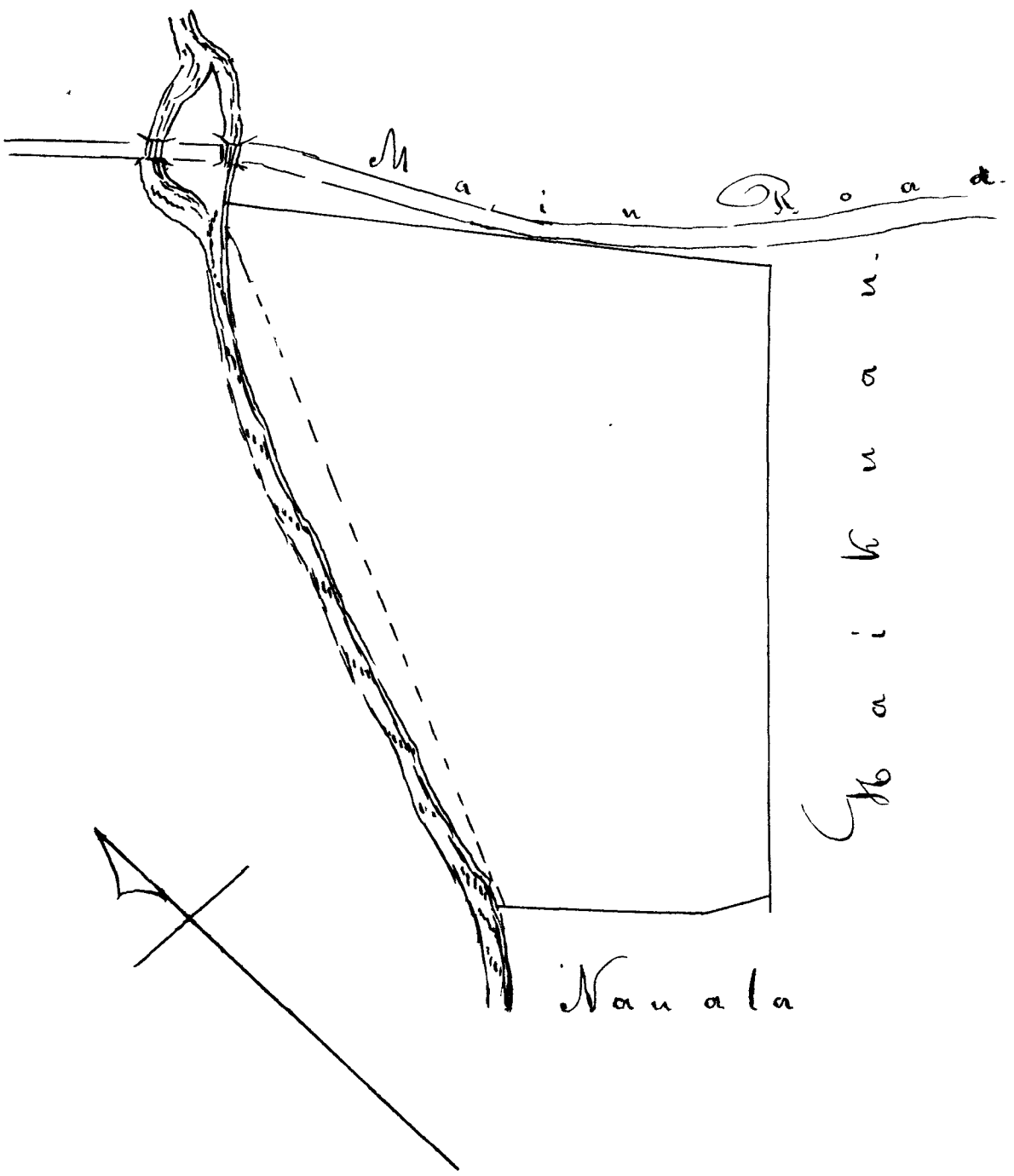
"Commencing at Mauka E. Corner of this land, joining Capt. John Meeks land (Waiuonae) and running N. 41° 30' W. 2 Ch. 2 Ch. along J. Meeks land called Kaukehoku to stream at Mauka N. Corner of this - thence S. 51° 15' W. 2 Ch. 52 8/12 Ch. along stream to makai W. Corner of this land - thence S. 42° E. 2 Ch. 19 10/12 Ch. along Kaukehoku to J. Meeks land at S. Corner of this. - North 45° 30' E. 2 Ch. 52 8/12 Ch. along John Meeks land to place of Commencement - including an area of

Fathoms 7.36 - Feet 28.



"Kili Kili'awa Mauka Kalihi

"Commencing at Mauka E. Corner of this land on Makai of Main road, and running S. 56° 45 W. 7 Ch. 55 3/12 Lks. along land called Kaikuaau (Kaiones) to Makai S. Corner of this - thence N. 41° W. 56 7/12 Lks. along Nauwala to angle - thence N. 30° W. 2 Ch. 39 7/12 Lks. to Stream at Makai W. Corner of this land - thence N. 35. 45' E. 9 Ch. along stream to angle little Makai of Main Road - thence N. 61° E. 33 3/12 Lks. to road - the N. Corner of this land thence S. 19° 15 E. 3 Ch. 62 feet. along road to angle. thence S. 29° 30' E. 2 Ch. 56 7/12 Lks. to place of Com-mence! Including an area of Acres 4 16/100



Claim N°275. Henry Lufplien..

This is a claim to a house lot in Honolulu; formerly known as the "Rising Sun"; and now known as the "White Swan Premises."

From the test-imony taken, it appears that this place was given to Lufplien in 1823 by Kalaimoku as a place for selling liquor; and that the Claimant went to live on the place in that Year, and sold liquor, for the mutual benefit of himself and his donor, Kalaimoku; that Claimant has Continued to occupy it from that time down to the present in peace.

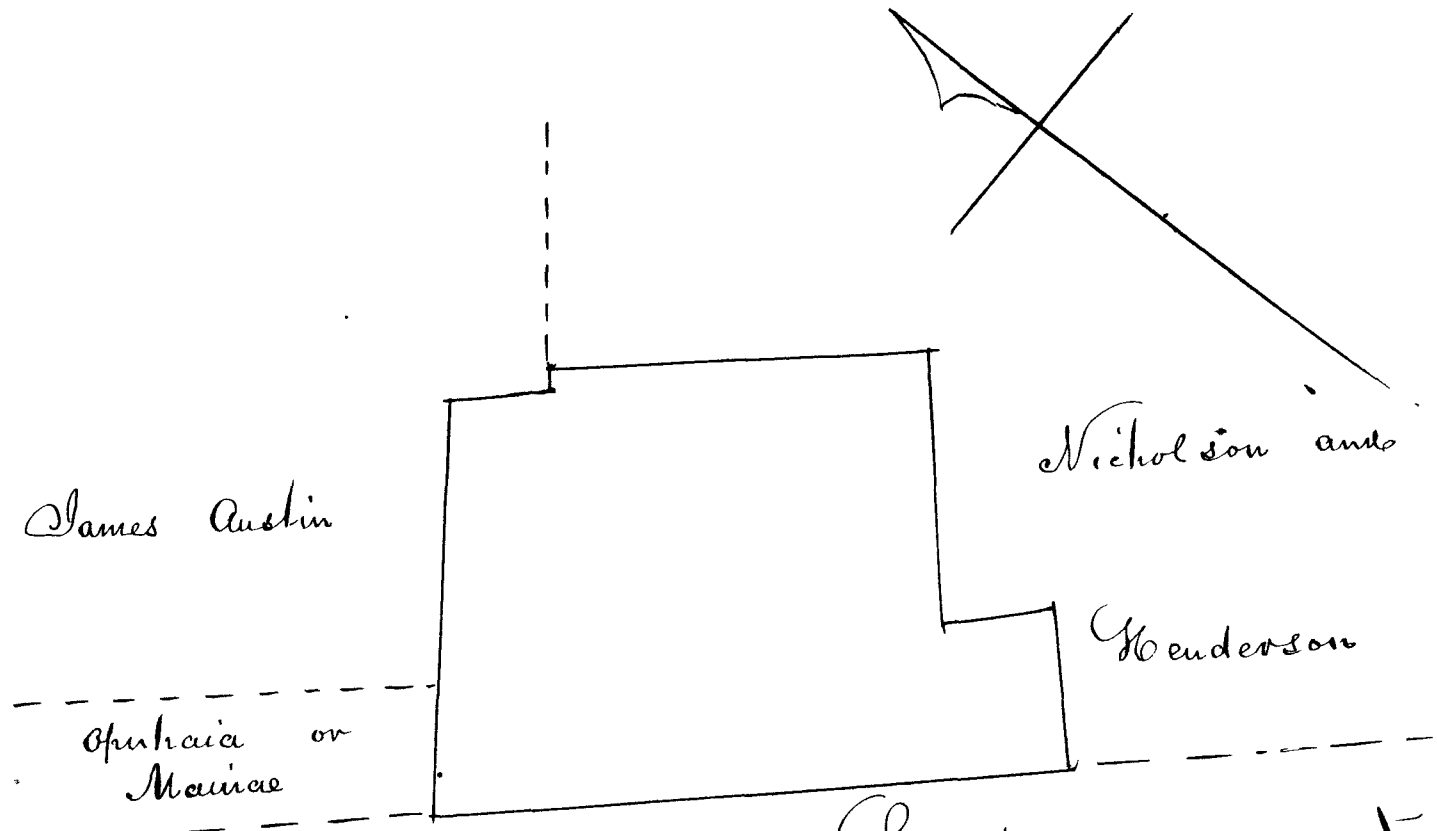
This Claim is a simple one, governed by the 1st Rule of the Board; and We therefore award to Henry Lufplien, a Freehold Estate, less than allodial, or in other words, a life estate, in said place; which he may Convert into a fee-simple estate, by Commutation pres-cribed by law.

The Boundaries of this lot are described in the annexed Survey of T. Metcalf Esq": dated 23 Feb. 1848.

"Commencing at Makai W. Corner of this lot on Chapel Street joining "Mainae's" lot, and running N. 53.° 30 E. 23 1/2 Ft. along Mainaes to slight angle in wall. Thence N. 58.° 30' E. 50 10/12 Ft. along James Austins store house lot to mauka N. Corner of this. Thence S. 41.° 45 E. 18 1/2 Ft. along mauka side of this lot to jog. Then offset 3 4/12 Ft. mauka to Corner of jog. at W Corner of Nicholson & Henderson lot. Thence S. 37.° E. 35 Ft. to slight angle. Thence S. 35.° 45' E. 31 4/12 Ft. mauka E. Corner of this lot. Thence S. 53.° 30 W. 46 2/12 Ft. to Corner. Thence S. 38.° E. 19 10/12 Ft. to N.n H.a store house lot. Thence S. 53 W. 29 Ft. always along N.n and H.s lot to Chapel Street at Makai E. Corner of this lot. Thence N. 40.° W. 1 Ch. 7 4/12 Ft. along street to Gate. slight angle. Thence N 36.° 30 W. 37 11/12 Ft. to place of Comm.. including an area of

Fathoms 207. (Ran over)

294.



Board of Commissioners for Land Titles
Adjudication of Cl. N° 275. A & B Henry Lupplien Dr

Cl. 275

To	incidental Expences of Commission		1	
"	action & of the Board on 6 Oct.r 1847		1	
"	Citation 50 Cts. dr. depos.n rec.d & £2. $1		1	50
"	draft- Test.y rec.d & 1 eng.d	£2	1	50
"	Survey by J. Metcalf in this Claim		5	
"	Engrossing Copy of same	£3	1	50
"	Report of Comm.rs this day Rendered in the above Claim		5	
			$ 16	50

Ce. 275 B

To	incid.l exp.ces &c. $1 Action &c 6 Oct.r 1847 - $1		2	
"	Citation 50 Cts & draft-depos.n rec.d & £2 - $1		1	50
"	draft- Test.y rec.d & eng.d	£3	2	25
"	Three Surveys by J. Metcalf in this Claim		15	
"	Engrossing Copy of the above surveys £8		4	
"	Report of Comm.rs this day Rendered in this Cl.		5	
		$	29	75

W L. Lee
Hale Kaui vida Joane Li J H Smith
25 July 1848 L. Kaumai
C Kanaina

Claim № 280 B. Henry L. Swinton. № 1

This is a claim to a house lot in Lahaina - Maui. From the Testimony taken, it appears, that this land was given to George Lawrence by Kalaikoa in the Year 1834 - And that he improved it, and occupied the same until the 22.th day of December 1842; when he sold it to John J. Halstead; who possessed it until the 18.th day of November 1846. when Halstead sold it to the present Claimant Henry L. Swinton.

There being no dispute about the title of the Claimant. We do award to Henry L. Swinton, in accordance with the 1.st Rule of the Board, a Freehold estate less than allodial: or in other words a life estate in this land; which he may Convert into a fee simple, by paying the Commutation prescribed by Law.

The boundaries of this land are described in the annexed Survey of T. Metcalf Esquire.

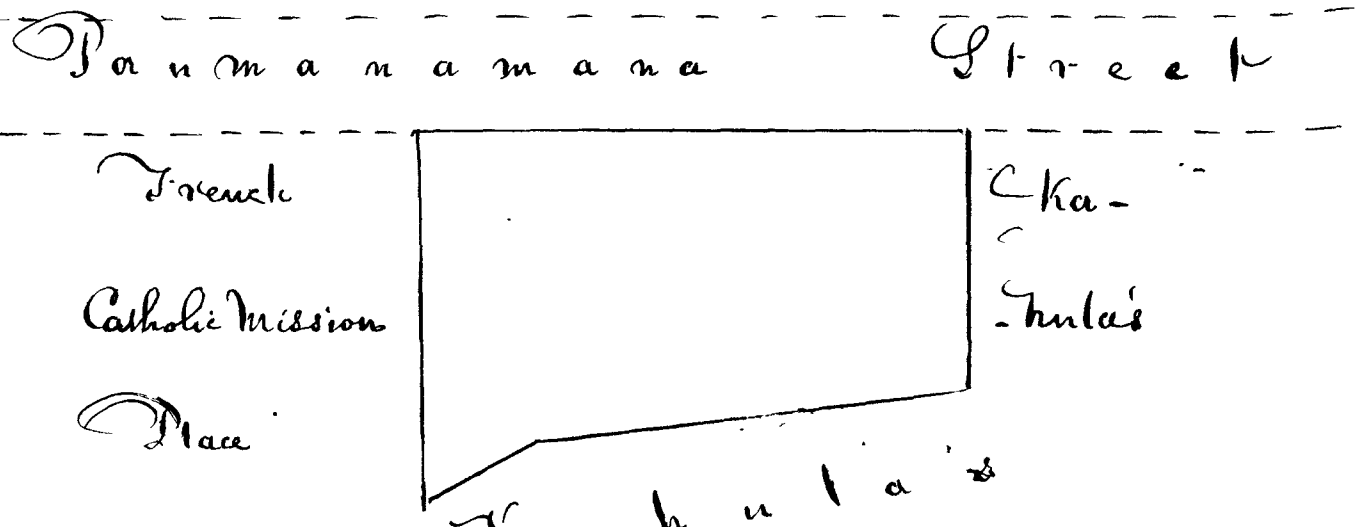
Paumanamana Lahaina Maui

Commencing at Makai S. Corner of this lot on Paumanamana Street joining lands claimed by Kahula: and running N. 37.° 30' E. 1 Ch. 60 1/12 Ft. along Paumanamana Street to lot occupied by the French Catholic Mission at Mauka E Corner of this - thence N. 54.° West 1 Ch 21 2/12 Ft. along French Mission lot to Mauka N. Corner of this - at Kahulas Lands - thence S. 11.° W 29 Ft. to angle of Wall - thence S. 28.° 30' W. 1 Ch. 35 8/12 Ft. along Kahula's Lands to Makai W. Corner of this lot - thence S. 54.° 45' E. 60 8/12 Ft. along Kahulas to place of Commencement - Including an area of Jan.y 15.th 1847. Fathoms 253 - Feet 33.

Diagram next page

296

Plan Connected with the preceding Claim



Board of Commissioners for Lands Claims
Adjudication of Claim No 280 B. Henry S. Swinton Dr

To Incidental Expences of Lands Commission		1	
" Action of Board in this Claim in Jan^{y} 1846		1	
" Drs deposition reduced in relation to this Claim	$6	3	
" Citation for attend^{ce}			50
" Draft testimony reduced & ingrossed	$1		75
" Ingross^{g} Copy of Survey by J Metcalf (Com^{r})	$2	1	
Report of Commissioners this day rendered on the above Claim		5	
	$	12	25

Kate Kauwila
Sep^{t} 5th 1848

W. L. Lee
L. Kauwaua
W. Smith
Soanelli

Received payment on 15th February 1849 W. Smith Sec^{y}

Claim No 326. William Humphreys

This is a Claim for two Lands in the district of Waikapu Maui: one an upland Called "Awikiwiki" and the other a Lowland, Called "Pukiawaawa".

Claimants title to these lands is perfectly clear being based upon the following deed.

"I. Koapiliwahine hereby transfer and Confirm for ever to William Humphreys, and his Sandwich Island born heirs, two certain parcels of land, situated in Waikapu, on the Island of Maui; the name of the upper land, Awikiwiki, and the lower land Pukiawaawa. Said land to belong to William Humphreys & his Sandwich Island born heirs for evermore together with all privileges belonging to said lands; and said lands shall never pay any Rent or tax, more than is paid by other lands of the same size and Character.

II. is also hereby agreed, that said lands shall never be transferred to any alien or non-resident

of the Sandwich Islands.

In testimony whereof, we have hereunto set our hands and seals this 5th day of June 1840 at Lahaina.

Witness
Wm Richards.

Na Koapiti Wahine
Wm Humphreys. " (Seal)

We hereby approve the within document Kamehameha III (Seal)
Kekauluohi

We hereby Confirm the above deed, and award these two lands. "Awikiwiki" and "Puhi-awaawa" according to the bounds of the annexed surveys of T. Metcalf Esq. to William Humphreys to have and to hold to him and his Sandwich Island born heirs forevermore; upon the terms and Conditions expressed in the above deed.

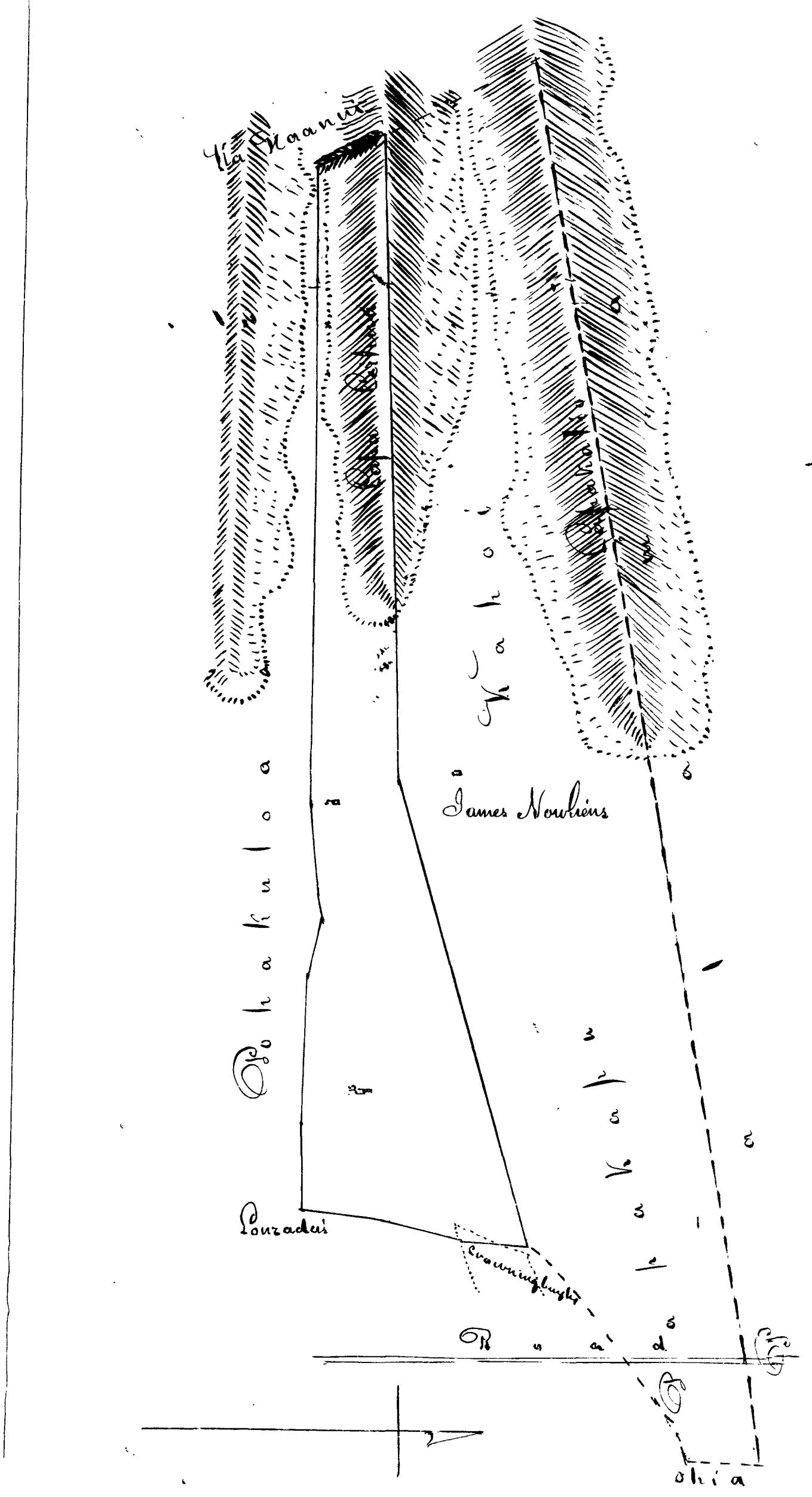
"Notes of Survey of Awikiwiki & Puhiawaawa in Waikapu Maui."

"Commencing at S. E. Corner of this land at stake by water run joining James Kauwila on Makai side and land called Pohakuloa of South & running S. 87° 30 W. 9 Ch. 6½ Lt. along between this and Pohakuloa to stake by Kalo patch - Thence N. 88° 45 W. 16 Ch 39½ Lt. to stake and rock. Thence N. 79° 45' W. 6 Ch 5 Lt. across stone wall to bottom Gulch - Thence S. 74° 45' W. 2 Ch. 10½ Lt. along Gulch Thence S. 84° 45' W. 10 Ch. 3½ Lt. along gulch to cross water run at intersection of stone walls. Thence S. 88° 45' W. 67½ Ch. along up Valley between this land and Pohakuloa, to East of Lateral Ridge coming down from Kapaleihua - Thence N. 24° W. 7 Ch. 53 Lt. up lateral Ridge - the boundary line between this land and Kahaanui to top of Kapaleihua - Thence N. 87° 45' E. 69 Ch. along down Kapaleihua ridge, the boundary line between this land and James Nowlein across stone wall to stake beside a kalo patch mauka of kauhata tree - Thence N. 72° E. 50 Ch. 58 Lt. along down boundary line between this and

S. Nowlen's Land to pile of stones on S. edge of Gulch, mauka of Wm Brownings walls - Thence S. 2° 15 W. 7 Ch. 36 Lk. along between this & Pohakoi to Brownings S. W. corner - (the wall this line crosses stands upon this land) Thence S. 10° W. 8 Ch. 39½ Lk. along between this land (Puhiawawa) and Pohakoi to Stone beside water run - Thence S. 4° W. 8 Ch. 20 Lk. along Pohakoi and James Lourada Place to point of Commencement including an area of Acres 131 3/10

Jany 21. 1847.

300


Ha Kaanui
Waiohuli
Kaupakuhale
James Nowliens
Lonzadeis
Kula Road
Olowalu

Board of Commissioners
Adjudication of Cl. No 326. William Humphreys Jr

To incidental expences do		1	
Action of Commissioners do		1	
Draft deposition of Claim and Copying Original Deed of Conveyance	£3	1	50
Engrossed T. Metcalfs Survey	£7	3	50
Report of Commissioners this day Rendered on the above Claim		5	
		12	
Copy of adjudication		1	
	£	13	

Honolulu
Nale Kauwila
10 February 1849

D. Kaauwai
S.K. Smith

Note this award was left for signatures until some objection of bound to been cleared - & has never been duly signed - through neglect of the Commissioners - & President - who wrote the Award - and afterwards delivered it personally Receives the Costs - See Transaction Book.
W.L.L. Lee.

C. 1027. John Kellet

A Certificate of the true character and position of this claim having been solicited and granted in order to obtain an allowance in the purchase of a general Fee - simple title including this land - The Case was thus dis[illegible] without award from the Board upon Formal [illegible]judication and Costs Levied and Paid amounting, in [illegible]ive to

See Vol 3 Page 176

September 5. 1848. For the Board Commissioners by direction S.K. Smith Sec. [illegible]. 25.

Claim № 416. John Crowder.

This is a claim to two Pieces of Land at Waikapu, Island of Maui. One land is called "Koolau", and the other is a house lot in the same district at "Aikaaaha".

From the evidence taken it appears that the land "Koolau" was given to the Claimant in the Year 1840 by Hoapili Wahine, Governess of Maui, and that being without a house lot the Konohiki of the district at the same time gave him the one he now claims at Aikaaaha.

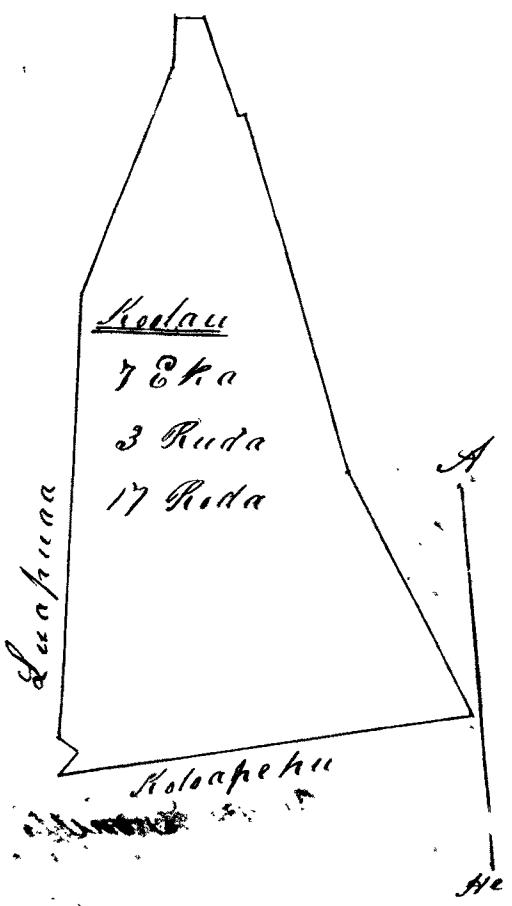
Claimant has occupied and held undisputed possession of these lands from 1840 down to the present time, And there being no doubt in the opinion of the Board, of the right of the Donors to bestow these lands upon the Claimant: We therefore award to John Crowder, a freehold Estate less than allodial, or in other words, a life Estate, in said lands. Which title he may Convert into a fee-simple by Commutation as prescribed by law. The boundaries of said lands are as described in the annexed Survey of John Richardson dated 2d February 1847.

Ke kii o ka aina o Johan Crowder ma Waikapu i Maui. o Koolau ka inoa, aia hoi ma ka Akau o ka aina i Ka paia o Kolsapelu, ma ka hikina hoi o ka aina i kapaia o Luapuaa

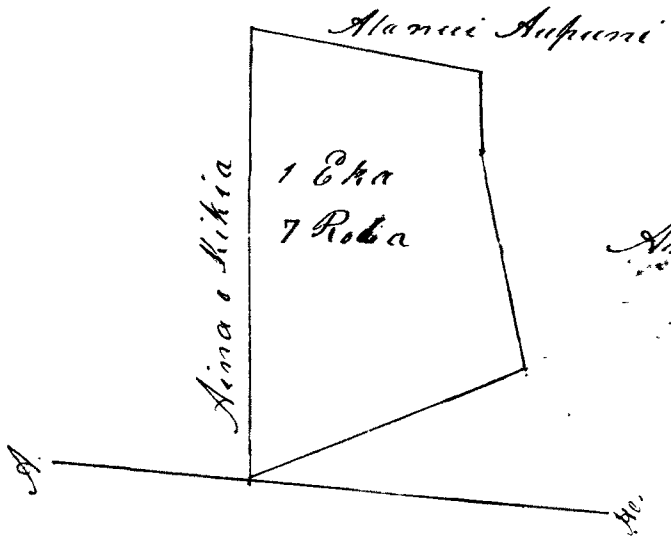
"E hoomaka ana ma kā aoao ouua 4 kapuai, mai ke kihi ae o kona pa, 6 kapuai hoi mai kekahi wahi anuai mai malaila, A moe aku ia aoao A. 85° K. 8 kaulahao 48 ½ kapuai, e pili ana kela aoao me Kolsapelu, a hiki i kekahi wahi Loi huli A. 34° 30' Ai. 40 ½ kapuai, huli A. 62° 30' K. 22 ½ kapuai, huli A. 8° 15' Ai. 9 kaulahao, 28 [redacted] kapuai, huli A. 37° 30' Ai. 5 kaulahao

33 Kapuai, huli A. 17° Ak. 6, 11 Kapuai, huli A. 85° Ak. 10 Kapuai, huli Ae. 18° 30' Ak. 9 Kaulahao 5 1/2 Kapuai, huli A. 11° Ak. 7 Kaulahao, 43 1/2 Kapuai, Alaila huli i kahi i hoomaka ai A 33° 30' Ak 5 Kaulahao 5 8/12 Kapuai

Eia hoi ka ili maloko 7 Eka 3 Puka 17 Poka



Ke kii o kapa o John Crowder ma Aikana ka i Waikapu ma Maui, aia hoi ma ke komohana o ke Alanui Aupuni, ma ka aoao hoi o ka aina o Kikia. E moe ana ka aoao mua A 86° Ak. 4 Kaulahao 5 8/12 Kapuai, huli Aema 6° K. 2 Kaulahao 31 1/2 Kapuai, huli A. 83° 30' Ko. 2 Kaulahao 26 Kapuai, Alaila huli i kahi i hoomaka ai A. 34° Ko. 3 Kaulahao 12 Kapuai Eia hoi ka ili maloko 1 Eka 7 Poka



Ana ia e John Richardson
Feb. 2 1847

304

Board of Commissioners for Land Titles

Adjudication of Claim № 416 John Crowder &c.

To Incidental exp.s of Commission		1	
" action & 22 February 1847		1	
" Citation			50
" draft depos.s Rec.d	£1		50
" Testimony do & Eng.d	£1		75
" Survey by John Richardson of Claim in Koolau		2	50
" Survey by - do —— do in Cl. of Aikanaka		2	50
Engrossing Copy of the above Surveys	£5	3	75
Report of Commissioners this day Rendered in Claim 1		5	
Report & & in Cl. 2		5	
			22 50

William L. Lee

Agent

Kaleleonalua

25 July 1848

Board

L. Kaauwai

C.C. Smith

C Harris

Claim № 2272 - John Lowth Bancroft by Henry Skinner Att.y

This is a claim to a house lot situated in Honolulu I. Oahu, and generally known as the "Bancroft lot."

From the evidence taken on this Claim, it appears that this lot was formerly obtained by Wm L. Hinckley, from some person or persons unknown; but through the sanction of Kuakini: - (Governor Adams); and that Hinckley afterwards sold it to William French, who with the Consent of the Government, through Gov.r Kekuanaoa - transferred all his rights in this lot to John Bancroft. Father of Claimant by deed bearing date 15th August 1838. That John Bancroft soon after purchasing this lot, was killed by the Indians on N.W. Coast

of America, and left a Will by which this lot was given to his Son, the Claimant: that from the death of his father to the present time, the Claimant has rented this lot, and enjoyed the profits of the same, without hinderance from any quarter whatever.

In the opinion of the Board, there can be no question about the nature or validity of Claimants title, Coming as it does, directly under the first Rule of this Board. The Claimant has clearly had quiet possession of this lot since the death of his father in the Year 1838, And We Therefore Award to John Howth Bancroft, a ~~Freehold Estate~~ less than allodial, or in other words, a Life-estate, in this lot, or otherwise a Fee grant of Thirty Years as prescribed by Law, which Freehold he may Convert into a Fee-simple Estate by paying the Legal Commutation.

Boundaries described by Survey of S. Metcalf

"Bancroft lot"

Commencing at Inaoka north Corner of this lot on Garden St. joining J. C. Carters Mansion house lot and running S. 38° 45' W. 1 Ch. 8 Lks. along Garden St. to the ~~Kuther~~ Wright lot at W. Corner of this - thence S. 40° E. 1 Ch. 9 3/12 Lks. along the S. Wright lot (including wall) to street on S. side of this lot at N. Corner of this lot - thence N. 74° 30' E. 1 Ch. 17 1/2 Lks. along St. to E. Corner of this lot to Kapules lot - thence N. 28° W. 15 10/12 Lks. to N. Corner of Cook house - slight angle - thence N. 53° W. 1 Ch. 57 3/12 Lks. along Kapules and Mansion House lots to place of Commencement including an area of

Aug 19th 1848 Fathoms 254 - Feet 34.

diagram in next Page

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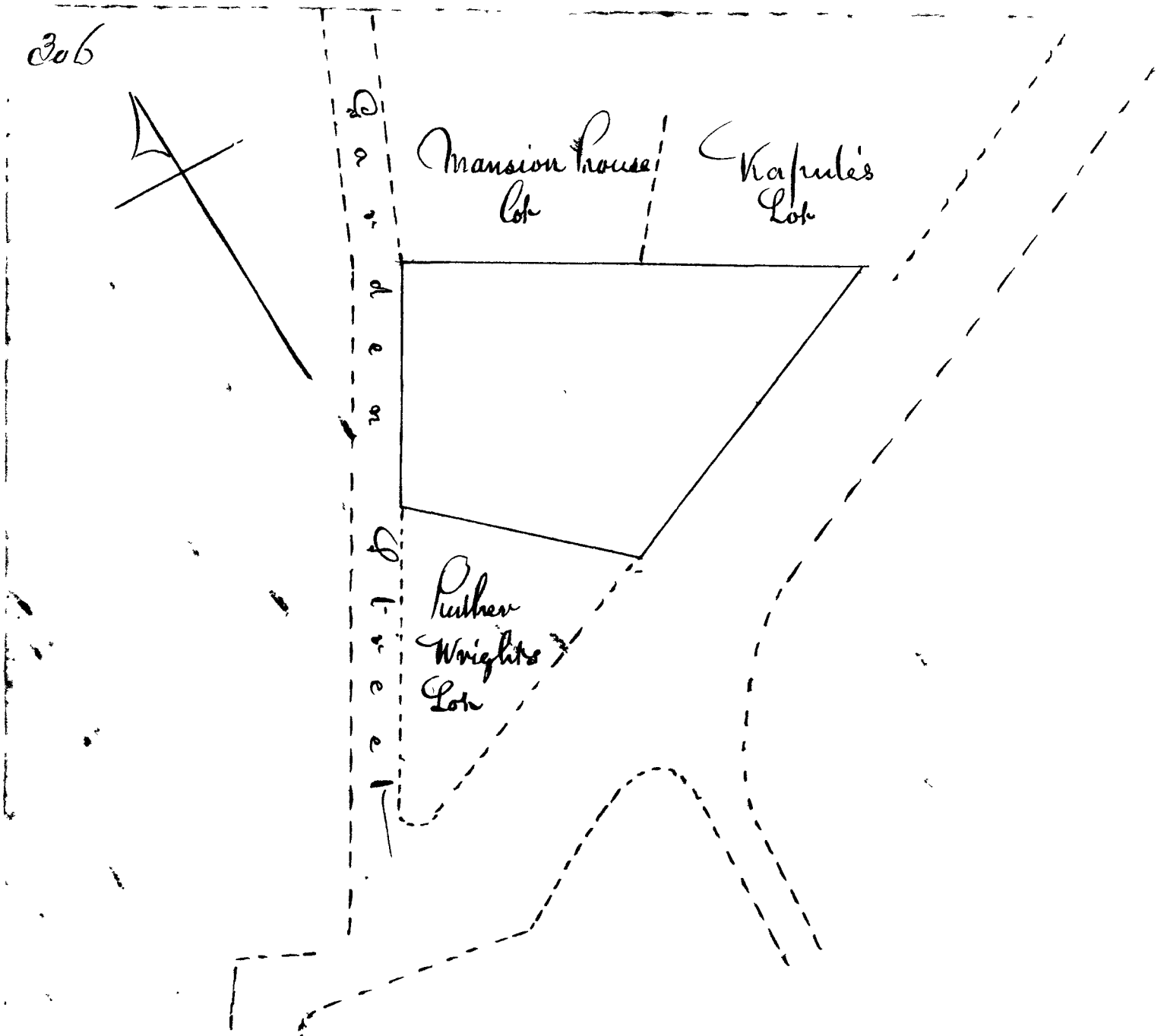


Board of Commissioners for Land Claims

Adjudication of Claim No. 227 J. L. Bancroft &c

To Incidental Expences of Commission &			1
" action of Board in relation to this Claim on 2nd August 1848			1
" Citation & attend.ce			50
" draft deposition Recd & in relation to this Claim			2
" " Testimony " Engrossed		2	1 50
" Survey of S. Metcalf of Lot claimed			5
" copy Engd		2	1
Report of Comm.rs this day rendered on above Claim			5
		$	17

Kate Kanuvida
September 5 1848

William L. Lee
M. Smith
L. Kanuvai
Joanedi

Claim 689. Louis Gravier.
See Award under No 28. Keaniani Page 109.

This claim is for a house lot in Honolulu and named "Kapuukolo" the same having been previously claimed, and presented for file, with the Board under the number 28 by Keaniani - and the facts and evidence attaching to both cases, having been examined, & estimated by the Board, under that number; and a Feehold title less than allodial, to the Premises contested, having been awarded to the present Claimant, Louis Gravier, on 15th April 1847. We have only to record, and confirm the decision in its place; and at the same time, substitute in this Connection, a Survey of J. Metcalfs, of the Premises, in room of the Hawaiian one of John Richardson - the Awarded Party Louis Gravier being a Foreigner by birth - inserting the amended bill of Costs as affected by the alteration.

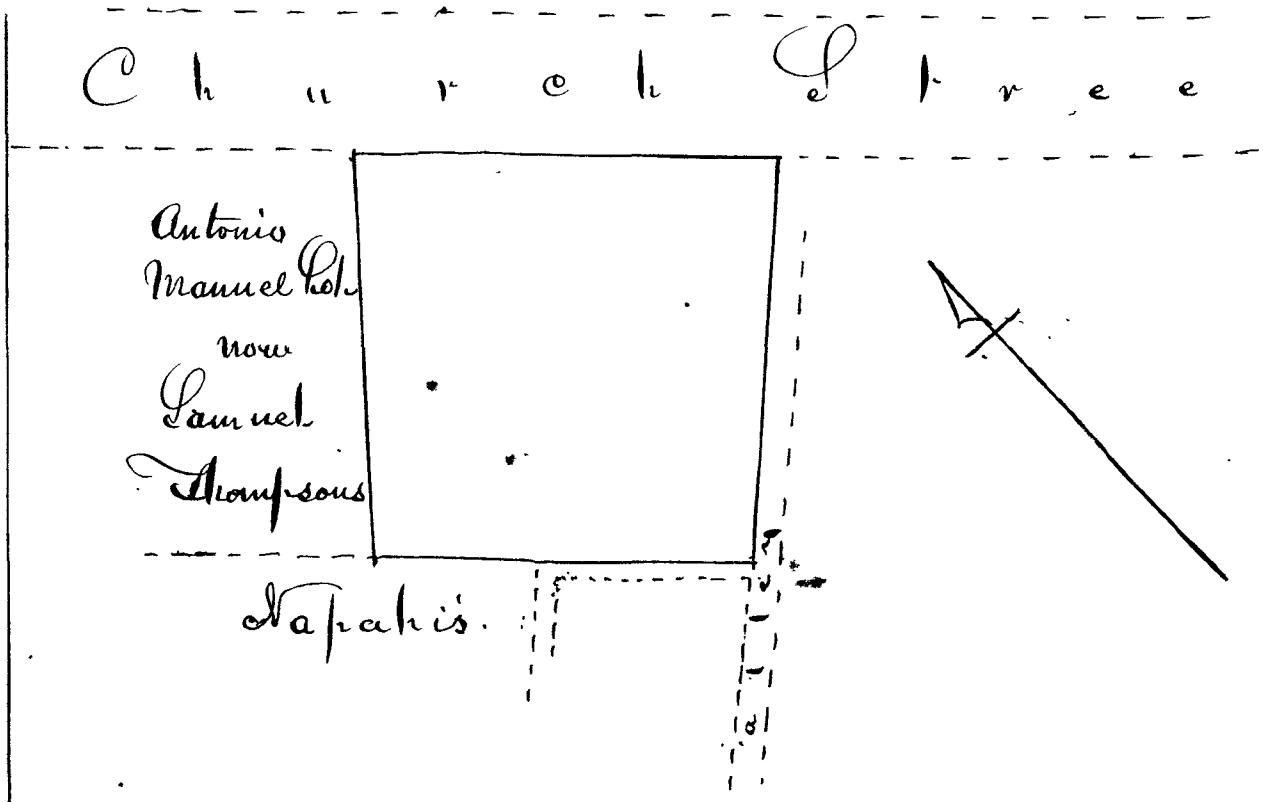
Survey of Kapuukolu - Honolulu

"Commencing at Mauka N. Corner of this lot on Church Street, joining the Manuel lot, now Samuel Thompsons, and running S. 38°. 15' E. 1 Ch. 35 8/12 L. along Church Street to Alley leading towards Sea & Say Graviers alley? E. Corner of this lot; thence 1 Ch. 27 8/12 L. along Graviers Alley to gate Post; the present S. Corner of this lot; thence N. W. twice 39°. 15' W. 1 Ch. 20 5/12 L. along private alley and lot claimed by Napahe to the Antonio Manuel lot. W. Corner of this. Thence N. 47° E. 1 Ch. 30 4/12 L. along the Antonio Manuel lot. (Sam. Thompsons) to place of Commencement —

Including an area of — Fathoms 253 - Feet 14.

March 1. 1848 J Metcalf Sos.

See diagram next page.



Board of Commissioners for Land Claims
Adjudication of C. 689 Louis Gravier &c

To incidental expences &c of Commission			1
action &c of do on 16 June 1846			1
Citations			50
Reducing and engrossg. draft Rep.t		4	3
Survey of J. Metcalf			5
Engrossing Copy of do		2	1
Report of Commissioners this day rendered on the above Claim			5
			16 50

Hale Vanderlip
August 10 1848

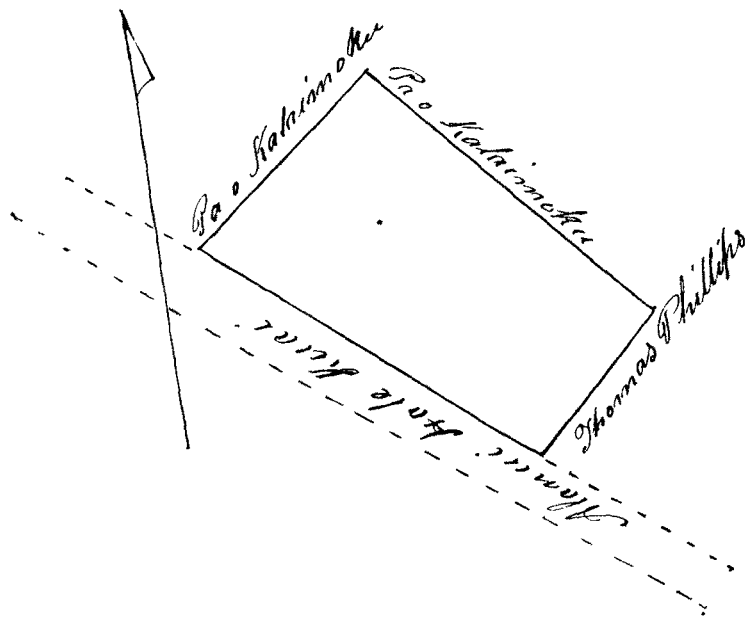
William L. Lee
H. Smith
C Vanuxem
Joseph
L. Marrandi

Aelu 991 Kekuaiaa

Ua koi mai keia no kona wahi ma ka pahale o Kalaimoku ma Honolulu, ua loaa ia ia i ka M. A. 1837 a ua noho no oia ma keia wahi a hiki i keia wa. Eia koi na - palena o keia aina

Ana ia e John Richardson.

"E hoomaka ana ke ana ana ma ke kihi Komohana o keia aina, e holo ana koi ma ka aoao mauka o ke Alanui Kuai, i ka A. 59°45= Hi. 2 kaulahao 10 ʻlr kapuai, oia koi ka aoao makai o keia aina, a hiki i ka pa o Thomas Phillips alaila holo i ka A. 37°15' Hi. 61 ½ lr kapui. a hiki i ka pa o Kalaimoku, alaila holo i ka A. 49°45' Ko. 2 kaulahao, oia ka aoao mauka o keia aina, alaila huli a holo i kahi i hoomakaʻi ke ana ana A. 43° Ko 1 kaulahao 20 ʻlr kapuai. Epili ana no ia aoao i ko Kalaimoku. Eia koi ka ili malo ko 379 auana 33 Kap.



O keia koi ka makou e hooko nei no Kekuaiaea he kuleana kona malalo o ke ano alobio, ina aku mai oia i ko ke Aupuni kapaha alaila ua kupono ia ia ka palapala sila nui

Pono nae ia ia ke iku mai no ka hoo=
kolokolo ana a me ka hooholo ana i ka
olelo = Penei =

No ka rumi a me ke hai ana i ka olelo ma ka Nihepa	Dr	
No ke kope ana i na olelo koina 4 aoao	$ 2.	00
No ka palapala hii	"	50
No ka hana ana i ka la 16 Aug. 1848	1.	"
No ke kope ana i ka olelo a na hoike mai Julai 1847 a me 16 Aug. 1848 hana	3.	"
No ke ana ana	2.	50
No ke kope ana i ke ana ana	1.	"
No ka hooholo ana i ka olelo	2	50
		12. 50

Kate Kaauwila
16 Septemtea 1848

William L. Lee
D. H. Smith,
C. Kanaina
Joanedi
L. Kaunuai

Cl. NC 97 B. Kaohipau / by his Guardian Thomas Phillips.

This is a claim to a house lot in Honolulu, which was left to Claimant by Will of Kamai, dated January 8th 1844. On 24 June 1844 this Will was proved before H. E. Gov. Kekuanaoa, and the lot placed in the possession of Thomas Phillips as Guardian of the Claimant, who then was, and now is, a Minor.

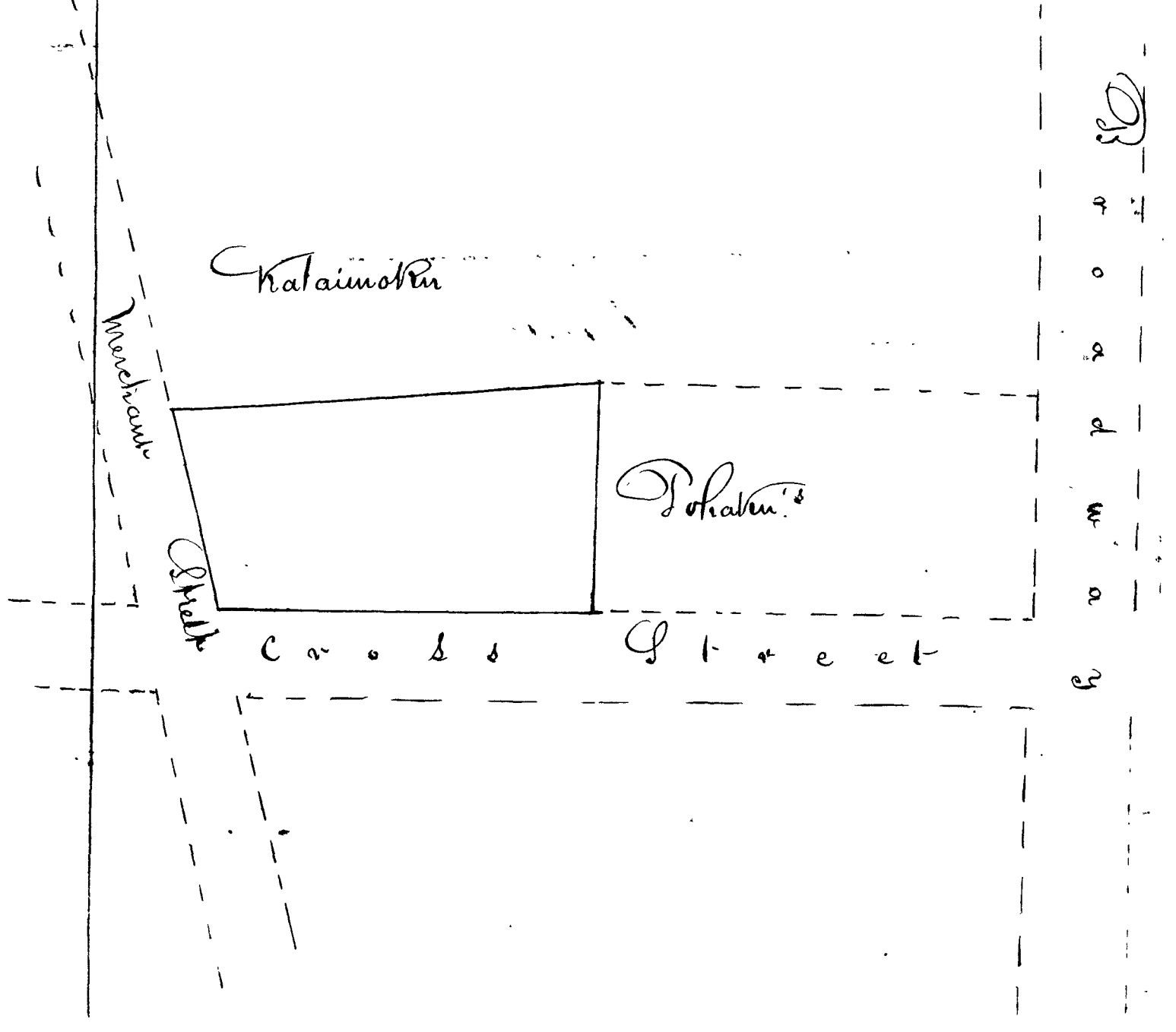
The Board, after due Consideration of all the testimony offered in this case, are of the opinion, that the Claimants Title is good for a Freehold Estate in said lot; and we do therefore award to Kaohipau such an estate: or in other words, a life Estate in

said lot; which he may Commute for a Fee-simple Estate as prescribed by law.

The bounds of this lot are those set forth in the following Survey of T. Metcalf Esq^r. dated 17^th Sep^r. 1846.

"In Honolulu-

Commencing at S. Corner of this lot, being the junction of Merchant and Cross St. Coming down from Wm. French's and running N. 42° E. 1 Ch. 19 10/12 Lks. along N.W. side of ~~Cross~~ Street to stake (inside of wall) at makai and road-corner of Pohaku's lot- Thence N. 46° W. 54 7/12 Lks. across to Kalaimoku's lot- Thence S. 38° W. 54 7/12 Lks along boundary line between this and Kalaimoku's place to slight angle in wall- Thence S. 36° 15' W. 45 7/12 Lks. to Merchant Street- Thence S. 62° 15' E. 48 10/12 Lks. along Merchant St. to place of Commencement- taking all surrounding walls except the one joining Kalaimoku's; and including an area of Fathoms 129.



312

Board of Commissioners for Land Claims

Adjudication of Cl. 97 Kohaopau by J. Phillips Dr

To incidental Expences of Commission		1	
" Action of Comrs in relation to this Claim on the 8 September 1846 -		1	
" Citation for Claimant & attendce			50
" draft deposition of Cl. reduced	½	1	
" " Testimony ned & and Eng'd 8 Sept 1846 (being an equal division between this and the other lot under this Number)	9	6	75
" draft testimony ned & Eng'd 17 July 1848	3	2	25
" Engrossing Copy of L. Metcalfe Survey & this lot	2	1	
" Report this day Rendered on the above Claim by Commissioners		5	
		$ 18	50

W. L. Lee
W. Smith
Joaneki
L. Kauwwai
L. Mo. Kamakau

Hale Kauila
16 September 1848

No Oahu 73

Unauna

Ua koi mai oia no kona wahi pahale ma Honolulu, he wahi keia ua loaa i kona makuahine i ka wa o Kaahumanu I a i ka wa o Kinau ua noho ua Unauna nei ma keia wahi mailaila mai a keia wa.

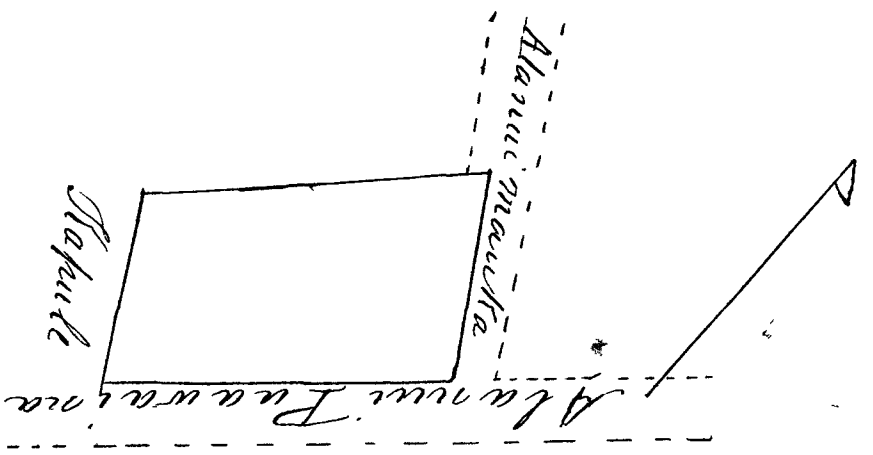
Nolaila ua maopopo nona no keia wahi ana e koi mai nei. Eia na palena o keia aina.

Anaia e D. Kalanikahua

E hoomaka i ke ana ana ma ke kihi Akiki na o ka pa o Kapule ma ka lihi ma Ewa o ke alanui Puuwaina. A moe aku ka ana mua i

Ka Akau 31° Komohana 1 Kaulahao 10 7/12 Kapuai a hiki ma ke kihi Akau o ka pa o Kapule, oia hoi ke kihi Komohana o keia pa; alaila hule Akau 47° 15' Hikina 1 Kaulahao 56 1/2 Kapuai a hiki ma ke kihi Hikina o keia pa ma ka lihi hoi makai o ke Alanui mauka, oia ka aoao ma Ewa o keia pa. huli Hema 31° Hikina 1 Kaulahao 4 7/12 Kapuai a hiki ma ke kihi Hikina o keia pa ma ka aoao hoi ma Ewa o ke Alanui Puuwaina, makai hoi o ke Alanui mauka, oia ka aoao mauka, alaila huli a holo aku i kahi i hoomakaia i e holo ana ma ka lihi ma Ewa o ke Alanui Puuwaina i ka Hema 42° Komohana 1 Kaulahao 56 1/2 Kapuai oia ka aoao ma Waikiki

Eia ka ili 250 Anana 25 Kapuai.



Oia ka makou e hookoi nei no Unauna, he kuleana hoi kona i malalo o ke ano Hoolio. Ina uku mai oia i ko ke Aupuni kapaha, alaila na kupono ia ia ka palapala Sila Nui. ano Hoolio.

Pono nae ia ia ke uku mai no ka hookolokolo a me ka hoohoio ana i ka olelo penei.

	D.	
No ka ouuni a me ke pai ana i ka olelo hoolaha ma ka Nupepa	1	—
No ke kope ana i na olelo kuina 2 aoao	1	—
No ka palapala kii		50
No ka hana ana i ka la 25 o Aug. 1846	1	—
No ke kope ana i ka olelo a na hoike. 3 aoao	2	25
No ke ana ana i ka aina Aug 23. 1848.	2	50
No ke kope ana i ke ana ana.		50
Eiuana i kela aoao	$ 8.	75

	8	25
	2	50
	11	25

Mau kela avao mau
No ka hoohoi ana i ka olelo 16 Sept. 1848
William L. Lee
Hale Kauleiha
16 Setemeba
1848
Wm Smith
Konohiki
S. M. Kamakau
L. Kaauwai

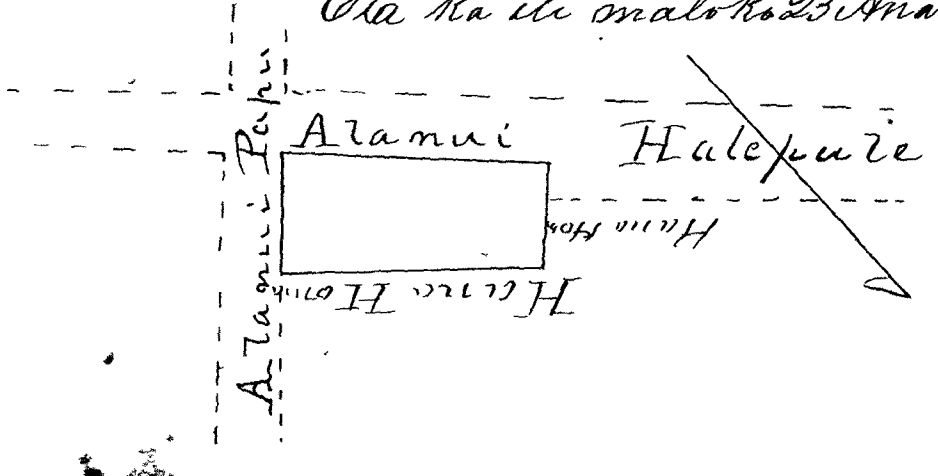
Helu 540 / Kuleana ame Pahu

Ke koi mai nei lana no ko lana wahi ma Honolulu kulanakauhale, ua loaa ia lana keia wahi mamua loa i ka wa o Kamehameha I i ka M. H. 1817 ka loaa ana ia lana a hiki i keia wa.

No ia mea ua akaka no lana no keia wahi. Penei nae na Palena. — Anaia e D. Kalanikahua. —

E hoomaka ana i ke ana ana ma ke kihi Hema o ka pa o Hana Hema, ma ke kihi Hikina o Kahu Hale Kuai o Kaihuna Pake, ma ka avao koi ma Ewa o ke Alanui Papu. A moe aku ka avao ma Hema 46° Komohana 20 5/12 Kapuai a hiki ma ke kihi hema o Hale Kuai o Kaihuna Pake ma ka huina alanui, alaila huli Akau 41° Komohana 46 1/2 Kapuai a hiki ma ke kihi Komohana o keia pa ma ka avao ma Waikiki o ka puka e komo aku ai i ka pa o Hana Hema ma ka avao makai; alaila, huli Akau 47° 30 Hikina 16 1/2 Kapuai a hiki ma kahu anakee o ka pa o Hana Hema, alaila, huli a hoio pololei aku la i kahi i hoomaka i Hema 46° Hikina 44 10/12 Kapuai.

Eia ka ili malo ko 23 Anana 13 Kapuai.



Oia no hoi ka makou e hooko nei no Keokapu ma, he kuleana hoi ko lana malalo o ke ano Alodio. Ina uku mai lana i ko ke aupuni hapaha, alaila ua kupono ia ia ka palapala Sila mii, ano Alodio.

Pono no ia ia ke uku mai no ka hookolokolo a me ka hoholo ana i ka olelo penei.

No ka uuku, a me ke pai ana i ka olelo hoola — D.		
ha ma ka Nupepa — — — — —	$ 1	00
No ke kope ana i na olelo Kona 1 aoao	1	00
No ka palapala kii		50
No ka hana ana i ka la 20 Oct. 1847	1	00
No ke kope ana i na olelo a na hoike 2 aoao	1	50
No ke ana ana i ka aina 23 Aug. 1848.	2	50
No ke kope ana i ke ana ana		50
No ka hoholo ana i ka olelo 10 Sept. 1848	2	50
	$ 10	50

William L. Lee
J. H. Smith
Joseli
S. M. Kamakau
D. Kaauwai

Hale Kauwila
10 Septemaba 1848

Helu 5144 — Kahinu

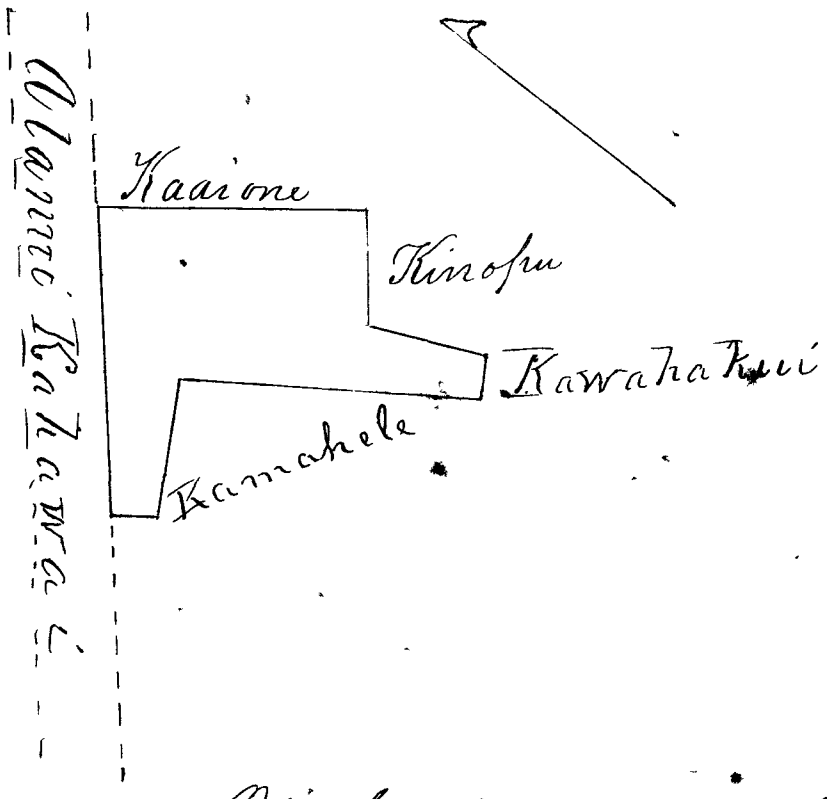
Ua koi mai hoi oia no Kona wahi e noho nei ma Honolulu Kulanakauhale, ua loaa i Kona kaikuwahine Keia wahi mamua o ke Kauana o na Kanawai a ua noho no oia nei malaila i ka M. H. 1829 a hiki i keia wa. No ia mea ua maopopo nona keia wahi. Penei nae na Palena.

— Anaia e D. Kalanikahua —

E hoomaka i ke ana ana ma ke kihi Komokuna o ka pa o Kaaione ma ka aoao ma Waikiki o ke Alanui Kahauai, a moe aku ka aoao mua i ka Hema 38° 30' Hikina 1 Kaulahao 29 Kapuai a hiki ma ke kihi Hema o ka halelepo o Kaaione oia ka aoao mauka o keia pa, alaila huli Hema 54° Komohana 40 11/12 Kapuai a hiki ma ke kihi Hema o ka halelepo o Kaauwaepaa ma, alaila huli Hema

26° Hikina 42 1/2 Kapuai a hiki ma ke Kihi Akau o ka pa o Kawahakui, e pili ana ia mau aoao i ka pa o Kinopu, huli Hema 64° 45' Komohana 15 1/2 Kapuai, a hiki ma ke Kihi Hikina o ka pa o Kamahele, alaila huli Akau 33° 30' Komohana 1 Kaulahao 39 3/12 Kapuai, a hiki ma ke Kihi Akau o ka pa o Kamahele; alaila huli Hema 60° Komohana 47 6/12 Kapuai, a hiki ma Ke Kihi Hikina o Kahi halelepo o Kamahele, alaila huli Akau 34° 15' Komohana 15 2/12 Kapuai, a hiki ma Ke Kihi Akau o na wahi halelepo nei no o Kamahele, alaila huli a hoi aku ma ka kihi ma Waikiki o Ke Alanui Kahaukai oia ka hoi ana i Kahi i hoomakaia'i i ka Akau 5 2° Hikina 1 Kaulahao 34 4/12 Kapuai.

Eia ka ili 204 Anana 34 Kapuai.



Oia hoi ka mahu e hooko nei no Kahinu, he kuleana hoi kona malalo o ke ano Alodio. Ina uku mai oia i koke Aupuni hapaha, alaila na kupono ia ia ka palapala Sila Inui, ano Alodio.

Pono no ia ke uku mai no ka hookolokolo, a me ka hoohalo ana i ka olelo, penei;

	Dr.	
No ka zumi, a me ke pai ana i ka olelo hoolaha ma ka Nupepa		1 00
No ke kope ana i na olelo koina 2 aoao		1 00
E nana i kona aoao		2 "

Mai Kela aoao mai	$ 2	~
No Ka palapala kii		50
No Ka hana i Ka la 27 Oct. 1847.	1	~
No Ke kope ana i na olelo a na hoike Daraa	1	50
No Ke aia ana i Ka aina 24 Aug. 1848	2	50
No Ke kope ana i Ke ana aha		50
No Ka hooholo ana i Ka olelo 10 Sept. 1848	2	50
	$	10.50

William L. Lee
Kate Kauwila J. H. Smith
10 Septemeber 1848 Joanela
S. M. Kamakau
D. Kaumai

Helu 557 Napalapala

Ua koi mai oia no Kona pahale e noho nei ma Honolulu, ua loaa i Kona pue nana i noho mamua, a ia ia e noho nei i Keia wahi mamua o Ke Kauana o na Kanawai i Ka M. H. 1836 mai a Keia mana wa. Penei nae ka palena.

Anaia e George Richardson

Komakaia Ke ana ana i Keia pahale ma Ke Kihi Hema, a holo aku la Ka aoao mua i ka Akau 70° 15' Ak. Kina 2 Kaulahao 14 Kapuai 6 iniha. No Kalama Kahi e pili ana ma ia aoao. Kuli Hema 68° Kikina 17 Kapuai 2 iniha hiki i Kahi o Awana, alaila, huli a holo mawaena oia wahi a me Keia Akau 68° Kikina 2 Kaulahao 20 Kapuai 6 iniha hiki i Kahi o Poohina, alaila huli a holo mawaena oia wahi a me Keia wahi Akau 24° 30' Komohana 3 Kaulahao 7 Kapuai 3 iniha. Kiki i Kaakopua, alaila huli a holo mawaena oia wahi, a me Keia Hema 72° 30' Komohana 3 Kaulahao 49 Kapuai 6 iniha hiki i Ka pa o Makalawelawe; alaila huli a holo mawaena oia pa a me Keia. Hema 22° 45' Kikina 2 Kaulahao 23 Kapuai 9 iniha. Kuli Hema 68° 15 Komohana 44 Kapuai, 11 iniha. E pili ana no ka pa o Makalawelawe ma ia aoao a hiki i Kahi o Kalama, alaila, huli a holo mawaena oia wahi a me Keia, Hema 10° Kikina 57 Kapuai 5 iniha

hiki i Kahi i kaomakai.

Eia ka ili maloko 1 Eka 30 9 anana 26 Kapuai

Eia ka makou e hooko nei mona kuia wahi, he kuleana kona malalo o ke ano alodio. Ina uku mai oia i ko ke Aupuni kapaaha, alaila, na kuponi ia ia ka pialapala kila alodio.

Pono mai ia ia ke uku mai no ka hoohololo a me ka hoohololo ana i ka olelo penei;

No ka nuui a me ke pii ana i ka olelo ma ka Nupepa $1 00

No ke kope ana i na olelo koina, 1 Aoao 50

No ka palapala kii 50

No ka hoana ana i ka la 12 o Nov. 1847. 1 00

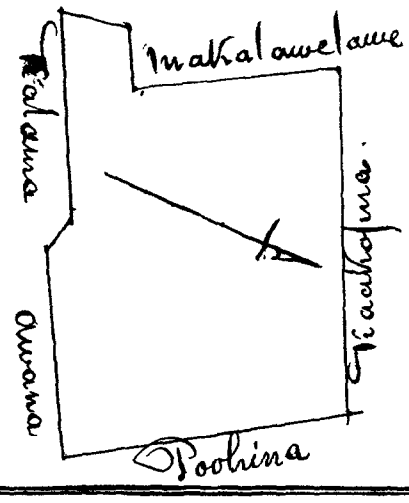
No ke kope ana i ka olelo a ua koike 1 aoao 75

No ke ana ana i ka aina 13 Nov. 1847 2 50

No ke kope ana 50

No ka hoohololo ana i ka olelo 10 Sept 2 50

Pau loa. $9. 25-



W. L. Lee
J. H. Smith
Joane Ii
L. M. Kamakau
P. Kaeuleni

Kale Kauluila
10 Sept. 1848.

Helu 422 — Opunui

Ua koi mai Keia no i kona wahi ma Honolulu, ua loaa ia ia mamua o ke kau ana o na kanawai i Ka M. A. 1825, ua noho no oia ma Keia wahi ana e koi mai nei, a hiki i keia wa.

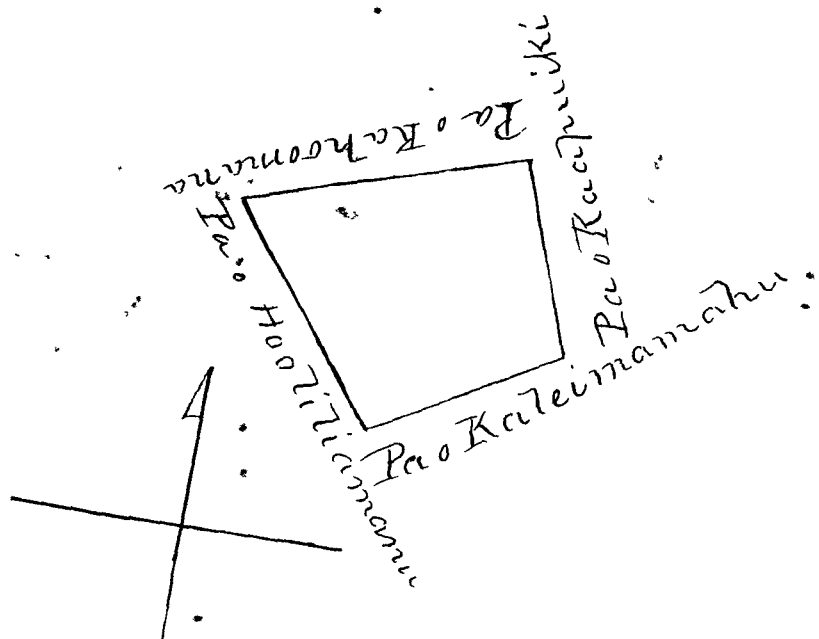
No laila ua akaka nona no Keia wahi. Penei nae na palena.

Aaia e George Richardson

E hoomaka ana i Ke ana ana ma Ke kihi Komohana, a holo aku la ka aoao mua i Ka Akau 73° 30' Hikina 1 Kaulahao 33 Kapuai 8 iniha e pili ana ka pa o Kahoomana ma ia aoao, a hiki i Ka pa o Kaapuiki; alaila huli a holo

mawaena o ia pa, a me Keia pa Hema 21° Hikina i Ka ulahao 4 Kapuai; a hiki i ka pa o Kaleimamahu; alaila huli a holo mawaena o ia pa a me Keia pa i ka Hema 56° 45' Komohana i Kaulahao 6 Kapuai, a iniha hiki i ka pa o Hoolilimamu; alaila huli hou i Kahi i hoomakaia'i a Hau 36° 30' Komohana i Kaulahao 29 Kapuai e pili ana ka pa o Hoolilimamu ma ia aoao

Eia ka ili maloko o Keia pahale 193 Anana, 1/2 Kapuai



Eia no hoi ka makou e hoohe nei no Apuuni he kuleana hoi kona malalo o ke ano Alodio. Ina aku mai oia i ko ke Aupuni hapaha, alaila na kupono ia ia ka Palapala Sila Nui, ano Alodio.

Pono nae ia ia ke aku mai no ka hookolokolo, a me ka hoohoka ana i na olelo penei.

No ka nui a me ke pai ana i ka olelo hoolaha ma ka Nupepa — $ 1 00
No ke kope ana i na olelo hoina 1 aoao — 50
No ka palapala Sii — 50
No ka hana ana i ka la 20 Oct 1847 — 1 00
No ke kope ana i ka olelo a na hoike 2 aoao — 1 50
No ke ana ana i ka aina 23 Oct. 1847 — 3 50
No ke kope ana i ke ana ana — 50
No ka hoohoka ana i ka olelo 10 Sept. 1848 — 2 50
— $ 10 00

Hale Kauwila
10 Septemba
1848

W. L. Lee
J. K. Smith
Joane Li
S. M. Kamakau
D. Kaauwai

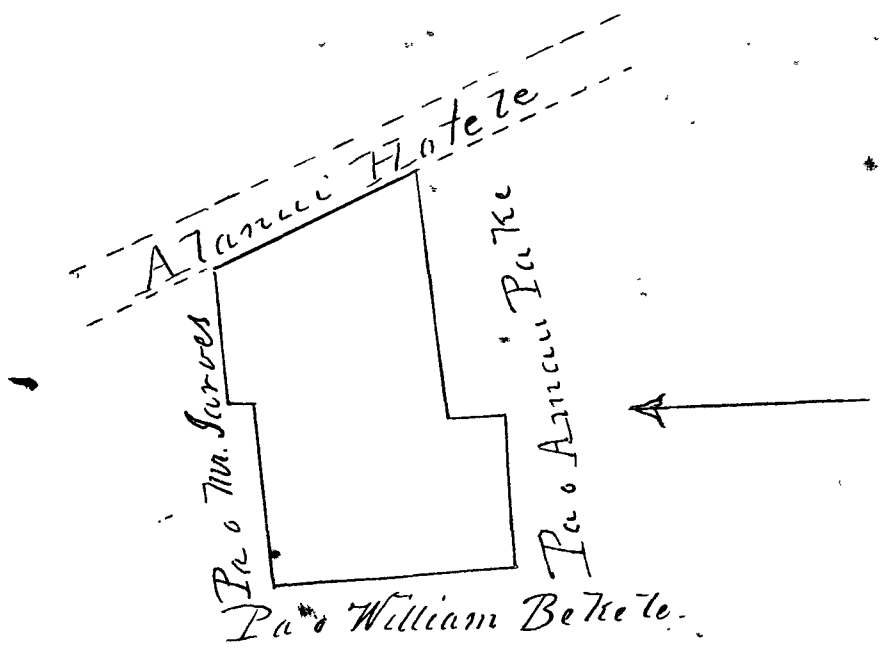
Helu 561 — Kalei

Ua hoi mai kuia no Kona o ahi pahale e noho nei ma Honolulu, ua loaa ia ia mamua o ke Kauoha o na Kanawai i ka M. H. 1837 a hiki mai i kuia wa Kona noho ana.

Penei nae ke ana ana, a me na palena.

—Anaia e John Richardson—

E hoomaka ana ma ka lihi makai o ke Alanui Hotele, ma ke kihi Hikina hoi o ka pahale o Mr. Jarves. A moe aku ka aoao mua Hema 67° 45' Hikina 1 Kaulahao 12 6/12 Kapuai, a hiki i ke kihi Hikina Akau o ka pahale o Aman pake. Huli 39° 30' Komohana 1 Kaulahao 21 2/12 Kapuai, a hiki i ke kihi Komohana o ka pahale o Aman pake. Huli Hema 50° Hikina 17 10/12 Kapuai, a hiki i ke kihi Komohana Hema no oia Halelepo. Huli H. 45° Komohana 53 6/12 Kapuai. A hiki i ke kihi Hikina o ka pahale o William Bekele. Huli H. 45° 30' K. 1 Kaulahao 17 2/12 Kapuai a hiki i ke kihi Hema o ka pahale o Mr. Jarves, huli H. 43° Hi. 1 Kaulahao a hiki i ke kihi Hikina Hema o kahi kale anan o Mr. Jarves. huli H. 53 Ko. a holo iki 2 Kapuai, alaila huli i kahi i hoomaka'i. Akau 35° 30' Hikina 46 10/12 Kapuai. Eia hoi ka ili maloko 2 Kaulahao, 30 Anana, 14 Kapuai.



Oia no ka makou e hooko nei no Kalei, he kuleana kona malalo o ke ano alodio. Ina uku mai oia i ko ke Aupuni kapaha; alaila na kupono ia ia ka pala Sila Nui, ano Alodio.

Pono no ia ia ke uku mai no ka hookolokolo a me ka hooholo ana i ka olelo penei.

	Dr.	
No ka hunni a me ke pai ana i kaz olelo hoolaha ma ka Nupepa	$ 1	00
No ke kope ana i na olelo kona 2 aoao	1	00
No ka palapala kii		50
No ka hana ana i ka la 12 o Mar. 1847	1	00
No ke kope ana i na olelo a na hoike 1 aoao		25
No ke ana ana i ka aina 12 Aperila 1847	2	50
No ke kope ana		50
No ka hooholo ana i ka olelo 10 Sept. 1848	2	50
	$ 9	75

W. L. Lee

Kalo Kauwela

10 Setemaba 1848

Joanedi

S.M.K. amakaua

D. Kaaiwai

Helu 562. Kuapuu a me Kapea

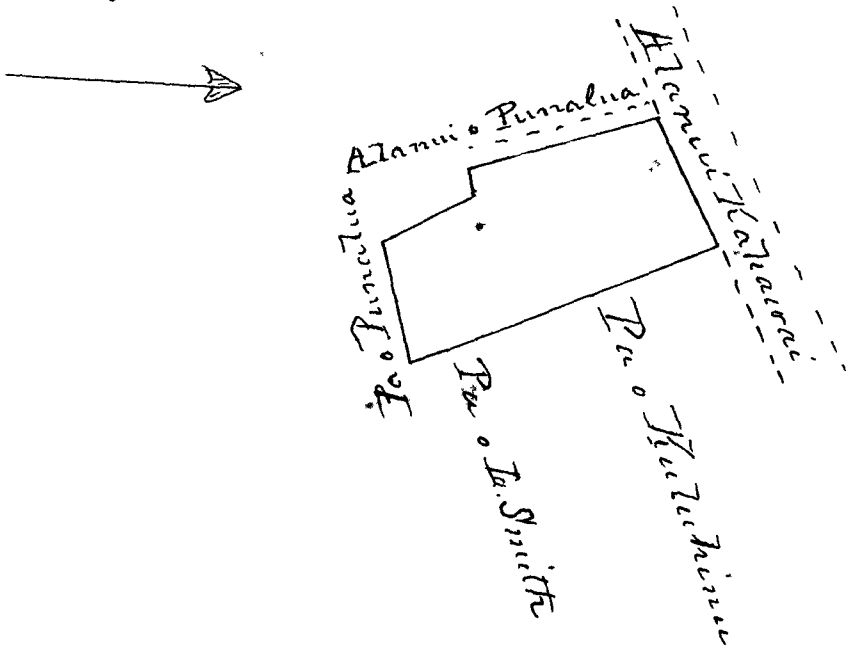
Ua koi mai lana nei no ko lana pahale ma Honolulu, he wahi keia ua loaa mamua loa o ke Kau ana o na Kanawai i ka noe no o Kamehame-ha I. mailaila a keia wa ko lana noho ana. Penei na palena.

—Anaia e Jo'n Richardson—

E hoomaka ana ma ka aoao Hema o ke alanui Kahawai, ma kahiki koi mauka o kahi alanui olohi e hele ai i kahi o Punalua ma, mai ke alanui Kahawai mai. a moe aku ka aoao mua 54. 34° Hi. 1 Kaulahao 5 3/12 Kapuai, a hiki i ka aoao Akau o ka pahale o Punalua. Huli A. 57 Hi. 6 6/12 Kapuai, a hiki i ke kee o ka pa o Punalua. Huli N. 38. 30' Hi.

38 3/12 Kap. a hiki i Kekahi kee e ae o Ka pa no o Punalua. Huli A 57° Hi. 40 11/12 Kap. a hiki i Ka aoao Komohana o ka pahale o L. Smith e pili ana no i Ka pa o Punalua. Huli A. 35° 45' Ko. 1 Kaulahao 50 1/12 Kapuai. a hiki i Ka aoao hema o Ke alanui Kahawai, ma Ke kihi Komohana A- kau hoi o Ka pahale o Kuluhinu, alaila huli i Kahi i homaka'i A. 48° 15' Ko 34 2/12 Kapuai.

Eia Ka ili maloko 1 Kaulahao 20 Anana 24 Kapuai.



Oia no Ka makou e hooko nei no Lana, Ke Kula- na Ko Lana malalo o Ke ano Alodio. Ina aku mai oia i Ko Ke Aupuni hapaha, alaila na Kupono ia ia Ka palapala Sila Nui, ano Alodio

Pono nae ia Lana Ke aku mai no Ka hookolo- lo, a me Ka hoohalo ana i Ka aelo, penei;

	Dr.	
No Ka uuni a me Ke pai ana i Ka aelo hoolaha ma Ka Nupepa	$	1 —
No Ke Kope ana i Ka aelo Koina 2 aoao		1 —
No Ka hana ana i Ka la 12 Nov. 1847		1 —
No Ka palapala Kii		50
No Ke Kope ana i Ka aelo a na hoike 2 aoao		1 50
No Ke ana ana i Ka aina 16 Aper. 1847		2 50
No Ke Kope ana		50
No Ka hoohalo ana i Ka aelo 16 Sept. 1848		2 50
	$	10 50

Kate Kaulinda
10 September 1848

W. L. Lee
J. H. Smith
Joane Li
P. M. K. amakaa
ps. Kaaiwai

Helu 569 **Puuiwai**

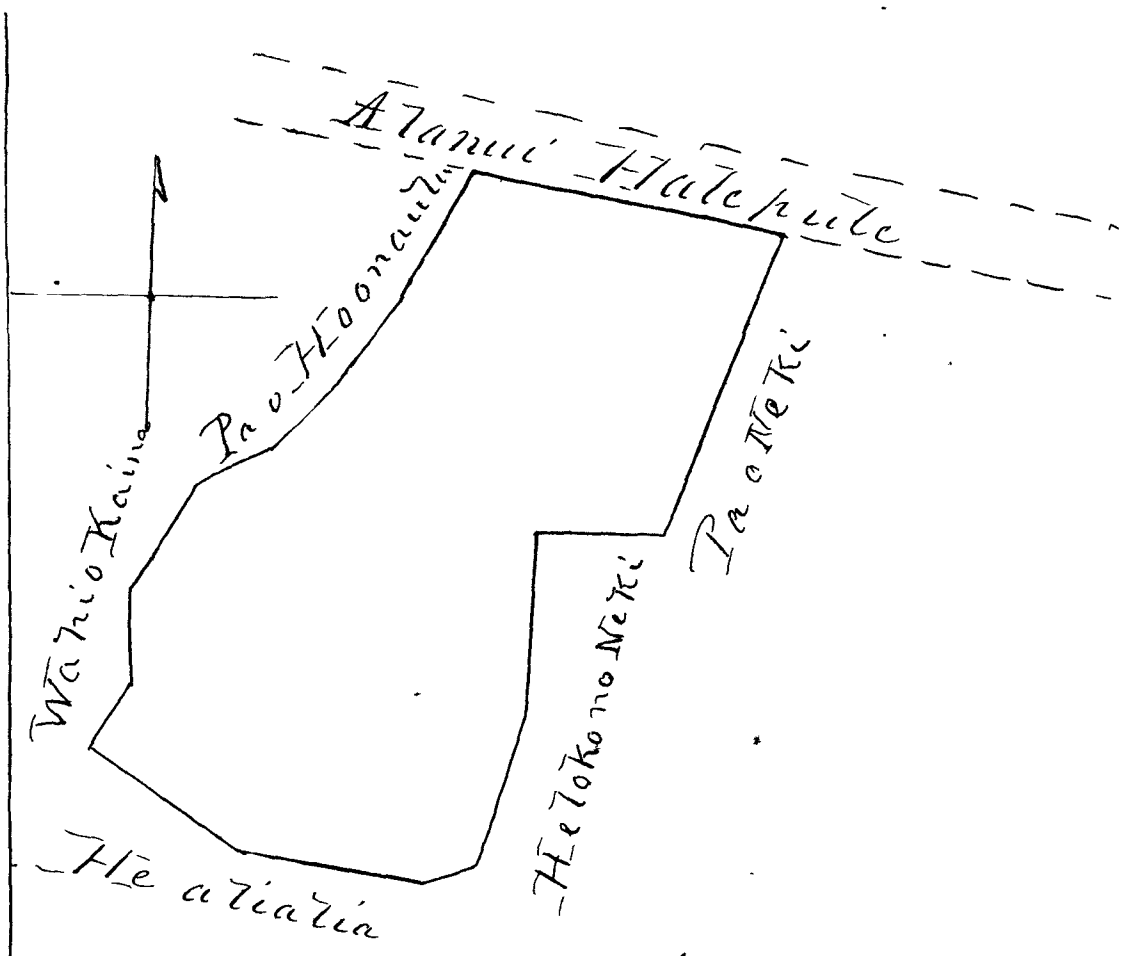
Ua koi mai oia no Kona o ahi ma Honolulu, ua loaa ia ia mauna o Ke Kauana o na Kanawai, i ka M. H. 1834 a hiki mai i Keia wa.

Penei nae na palena –

Aupuni e George Richardson

E hoomaka ana i ke ana ana i Keia wahi ma Ke. Kihi Hema e pili ana koi i ka loko o Neki, a holo aku la ka akao mua i ka Akau 23° Hikina 3 Kaulahao 29 Kapuai; 8 iniha; e pili ana ka pa o Neki ma ia akao a hiki i ke Alanui Halepule. alaila huli a holo mawaena oia alanui a me Keia wahi Akau 77° 15' Komohana 3 Kaulahao, 25 Kapuai; 9 iniha. hiki i ka pa o Honaulu, alaila huli a holo mawaena oia pa a me Keia Hema 24° Komohana 48 Kapuai 10 iniha. Huli Hema 30° Komohana 1 Kaulahao 21 Kapuai 7 iniha, Huli Hema 38.30' Komohana 48 Kapuai. 2 iniha. Huli Hema 47° Komohana 1 Kaulahao, Huli Hema 60° 30' Komohana 59 Kapuai 5 iniha, hiki i Kahi o Kaina. alaila huli a holo mawaena oia wahi a me Keia. Hema 34.30' Komohana 1 Kaulahao 19 Kapuai 10 iniha Huli Hema 3° Komohana 61 Kapuai 5 iniha, Huli Hema 24° 30' Komohana 61 Kapuai 5 iniha. 1 Kaulahao, 52 Kapuai 10 iniha. Huli Hema 55° 30 Hikina, he wahi alualua Ke pili ana ma ia akao, a hiki aku mawaena oia alualua; huli a holo i ka Hema 78° Hikina 2 Kaulahao. hiki i Kahi o Neki; alaila huli a holo mawaena oia wahi a me Keia. Akau 77° 45' Hikina 36 Kapuai 4 iniha, Huli Akau 23° Hikina 1 Kaulahao 39 Kapuai 7 iniha hiki i ka loko o Neki; alaila huli a holo mawaena oia loko a me Keia wahi Akau 3° 30' Hikina 2 Kaulahao 6 Kapuai, 7 iniha. Huli i Kahi i hoomaka'i Hema 86° Hikina 1 Kaulahao 18 Kapuai 6 iniha.

Eia ka ili maloko o Keia aina 3 Eka 106 anana 5 Kapuai.



Oia no ka makou e hooko nei nona, he Kuleana kona malalo o ke ano Alodio. Ina uku mai oia i ko ke Aupuni kapaha, alaila na kupono oia ia ka Palapala Sila Nui ano Alodio.

Pono no ia ia ke uku mai no ka hookolo kolo, a me ka hoohola ana i ka olelo, penei:

	Dr.	
No ka nuui, a me ke pai ana i ka olelo hoolaha ma ka Nupepa	$ 1	—
No ke Kope ana i na olelo kuina 2 auao	1	—
No ka palapala Kii	1	50
No ka hana ana i ka la 15 Nov. 1847	1	—
No ke Kope ana i ka olelo a na hoike 2 auao	1	50
No ke ana i ka aina 16 Nov. 1847	2	50
No ke Kope ana		50
No ka hoohola ana i ka olelo 10 Sept. 1848	2	50
	$ 10	50

Hale Kauwila — W. L. Lee
~~W. L. Smith~~
10 Septemberi — Iohanesi
1848 — S. M. Kamakau
— Y. Kaauwai

Claim N°549. Lacchaus Rodgers

This is a claim to a House lot in Honolulu; now occupied by Daniel P. True.

From the Evidence taken in this Claim, it appears that the Claimant took possession of this lot in the Year 1826 or 1827, according to the custom of those days; and built a house upon the same, which he occupied in peace until the Year 1840, when he left the Kingdom, and Daniel P. True, his Attorney, took possession of the lot and house; And has Continued to occupy the same in peace, down to the present time.

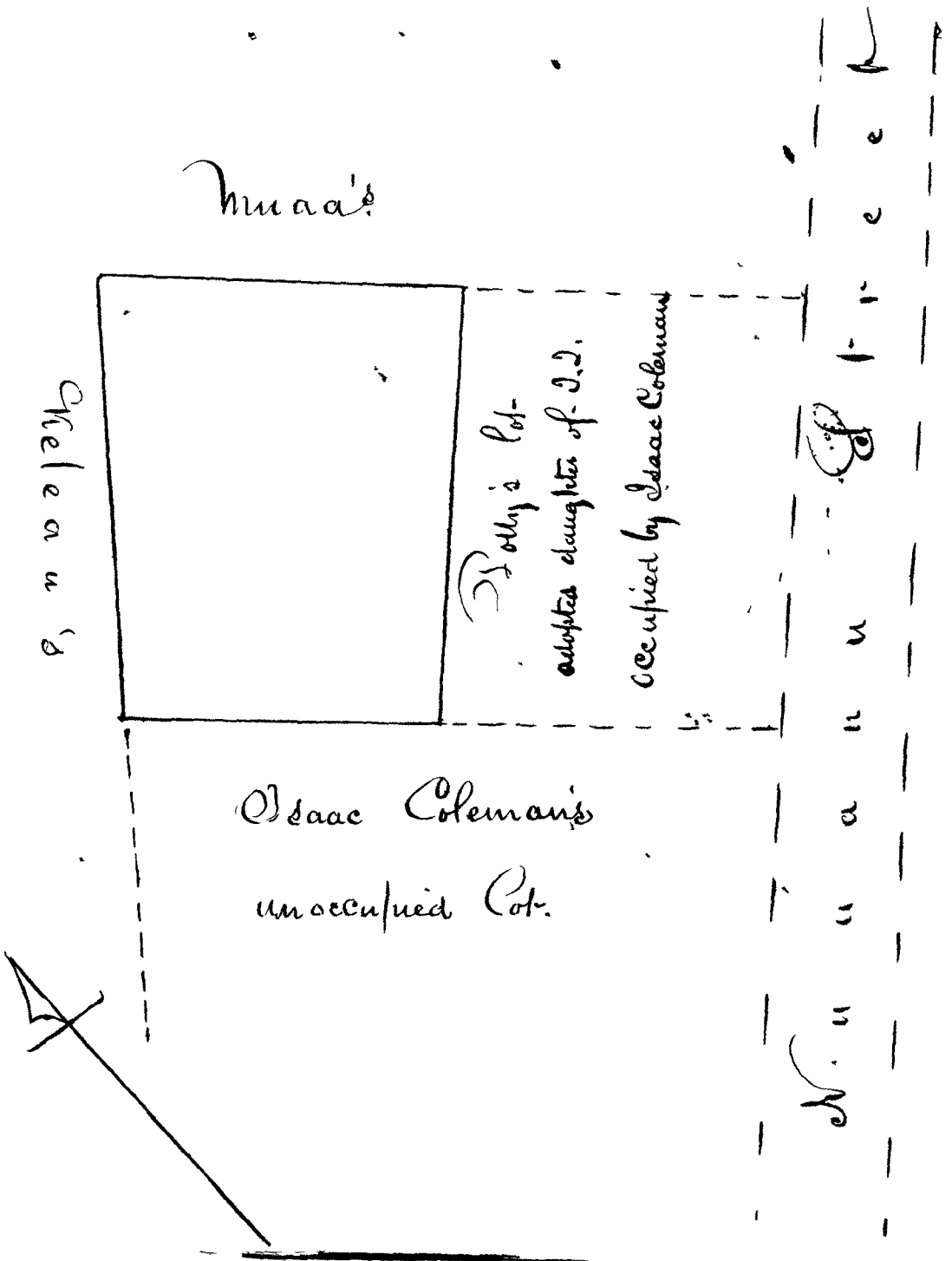
There Can be no dispute about Claimants Title; and We do therefore Award to Lacchaus Rodgers a Freehold or Life Estate in said Lot, which he, or his Attorney may Commute for a Fee-simple Title as prescribed by Law.

The bounds of the above awarded lot are set forth in the following Survey made by Mr. Metcalf on 7th of May 1846.

"House lot in Kalanamaikiki Honolulu

Beginning at S. Corner of this Lot, joining Isaac Colemans unoccupied lot, on S.W. and joining lot on S.E. owned by Polly or Paaina Kinau, adopted daughter of Boane Ii - and running N. 45° E. 1 Ch. 21 2/12 Ft. along boundary line between this and Polly's lot to the Muaa lot - Thence N. 47° W. 1 Ch. 7 11/12 Ft. along wall (including it) between this and the Muaa lot to N. Corner of this lot - Thence S. 38° W. 1 Ch. 19 10/12 Ft. along Center of wall between this and Releau's lot to Isaac Colemans unoccupied lot; Thence S. 47° E. 64 7/12 Ft. along I. Colmans unoccupied lot to place of Commencement; including an area of May 7. 1846 ... Fathoms 165 - Feet 25.

(Continued next Page)



Board of Commissioners for Land Claims

Adjudication of Cl. No. 549 Zaccheus Rodgers £ s. d.

To incidental expences of Commission			1	
" action of Commr. in this Claim on 1st Dec 1847			1	
" draft decr: of this Claim reduced &	Folio			50
" Citation for attendance				50
" draft Testimony reduced & engrossed		£3	2	25
" Engrossing Survey of T. McCaleb		£3	1	50
" Report of Commissioners this day rendered on the above Claim			5	
			11	75

W. L Lee

J Westmith

Isaac Jr.

T. M. Kamdeau

Y. Kaumai

Kate Kauleda

21 September 1848

C. No. 518. William Blossom Wilson.

This is a claim to a land in Palama, Oahu, known by the name of "Kumuohia" near Niuhelewai".

From the Evidence taken, it appears that this land, which Consists of two distinct pieces, was given to the Claimant about the Year 1833 by his Majesty Kamehameha 3, according to the Custom of that time, and that he has held the same in undisturbed possession ever since.

We do therefore Award to the Claimant, in accordance with the First Rule of the Board, a Freehold Estate less than allodial, or in other words, a life Estate in said Land; which he may Commute for a fee-simple title as prescribed by Law.

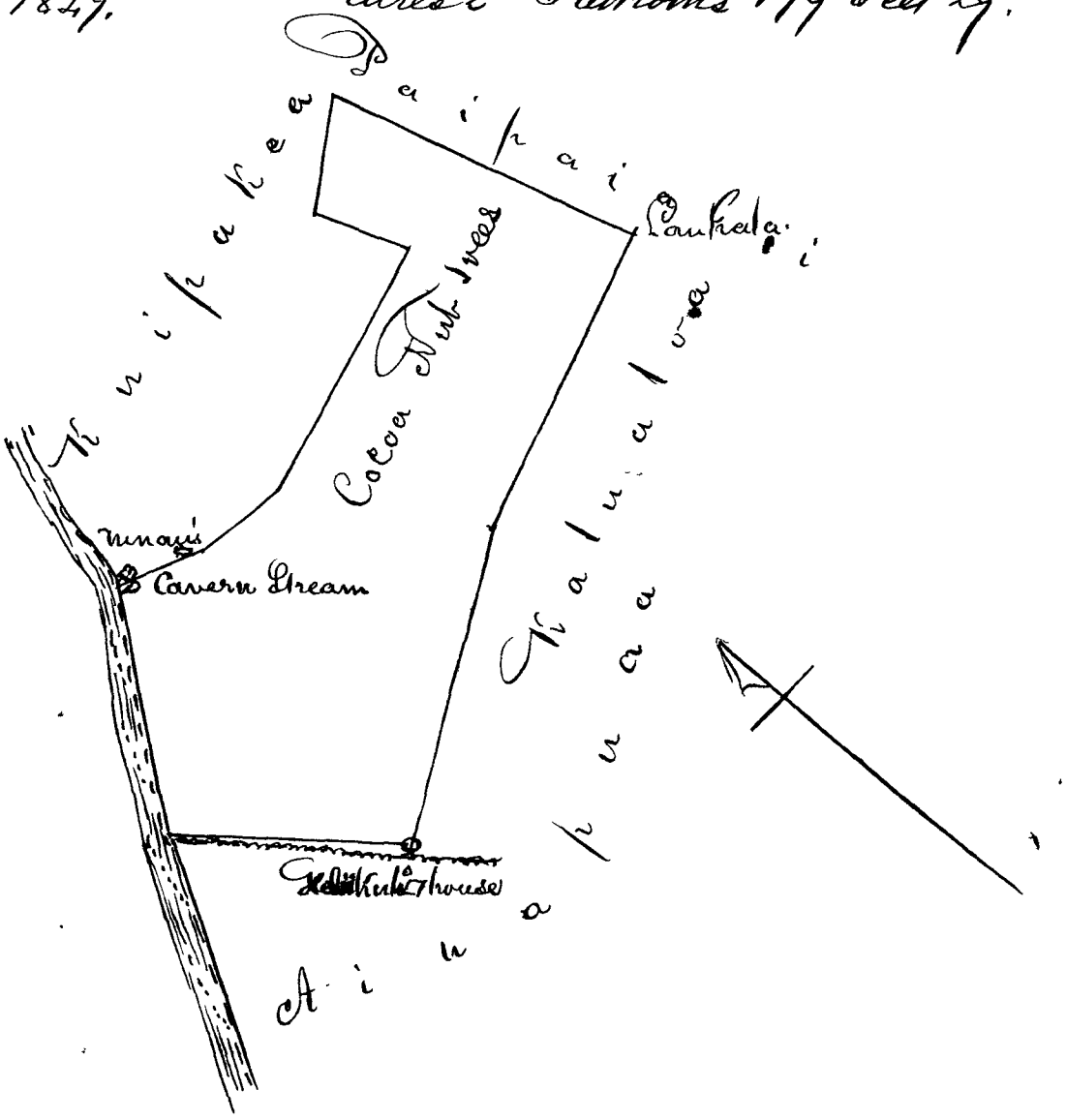
The boundaries of this land will be found Correctly set forth in the following Survey made by T. Metcalf 10th March 1847.

"Kumuohia" – Palama – Oahu.

W21 1st. Cocoanut Tree place – Commencing at buried Coral Stone at S. Corner of this land 2 ft. mauka of old wall, on mauka side of Helii Kuli's house, joining land Called Aina puaa (Kanoa's) and running N. 40° W. 2 Ch. 30 ft. along to end of old wall, and 6½ ft. passed into stream – Thence N. 35° 30' E. 2 Ch. 60 ft. along stream Called Neuhelelwai to rock on Edge at inlet of Cavern stream – Thence N. 59° 30' E. 52 8/12 ft. along line between this land and Kuipakea (Wm. Kaebottles) to Stone 2 ft. makai of S. Corner of Ninau's house. Thence S. 77° 30' E. 62 ft. to Stone angle – Thence N. 78° E. 3 Ch. 8½ ft. to Stone, 1½ mauka of marked flat Coral rock by path – Thence N. 21° W. 1 Ch. to Stone by Kalo patch – Thence N. 58° E. 1 Ch. 22½ ft. along Kalo patch to Stone at Mauka N. Corner of this land, joining land Called Paipaialii (Naaupalea) Thence S. 15° 45' E. 3 Ch. 36½ ft. along Paipaialii, across low ground to Newly planted kauhala bush by path joining land Called Kaluaoa – Thence S. 76° W. 3 Ch 3[illegible]

along Kalualoa to stone 7½ Ft. above large Flat Coral Rock.- Thence S. 63° 30' W. 3 Ch. 35½ Lks along Kalualoa and Ainapuaa to place of Commencement- including an area of

March 10 1847. Acres 2 Fathoms 179 Feet 29."

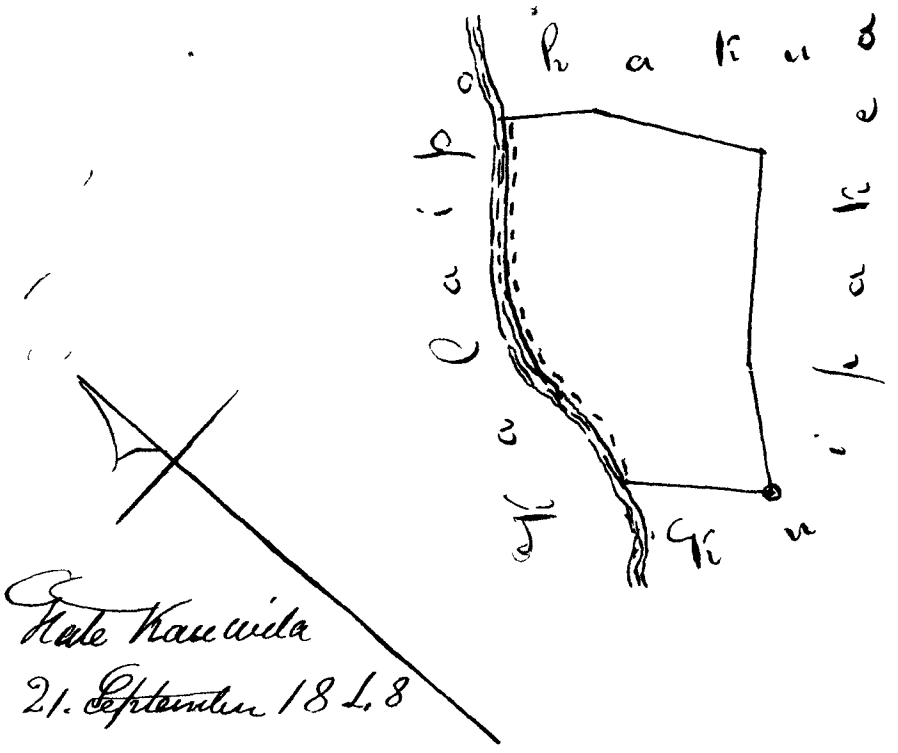


2nd "Kale Ewunda mauka

Commencing at Rock at S. Corner of this Land, and Running N. 39° E. 1 Ch. 22½ Lks. along Kuipakea Wm Harebottles, to Corner of Kalo Patch angle- Thence N. 56° E. 2 Ch. 13 Lks along Kuipakea to E Corner of this Land to Kalaiposhaku- Thence N. 25° 30' W. 1 Ch. 62 Lks. along Kalaiposhaku to Corner of Kalo patch angle- Thence N. 49° 30' W. along Kalaiposhaku to stream- Thence following down stream to W. Corner of this Land- Thence S. 38° E. 1 Ch. 31 Lks. along Kuipakea to place of Commencement- including an area of

Fathoms 1083 - Feet 28

March 10 1847. "



Kale Kauwila
21. September 1848

Costs in this Claim 10 75
See next pg

W. L Lee
J Meheula
Jouvedi
S. M. Kamakau
Wm. Kauwai

Claim No 518 B. W. in Blossom Wilson.

This is a Claim to a house lot in Lahaina Isl. of Maui. This lot, according to the testimony of Naiaanu, was given to the Claimant, in, or previous to the Year 1839; and he has had quiet possession of the same from the time it was given down to the present.

The above Evidence renders the Claimants Title to a Freehold or life Estate in this lot perfectly Clear; and We therefore award to W. Blossom Wilson such an estate in said lot, which he may Commute for a fee-simple title as prescribed by Law.

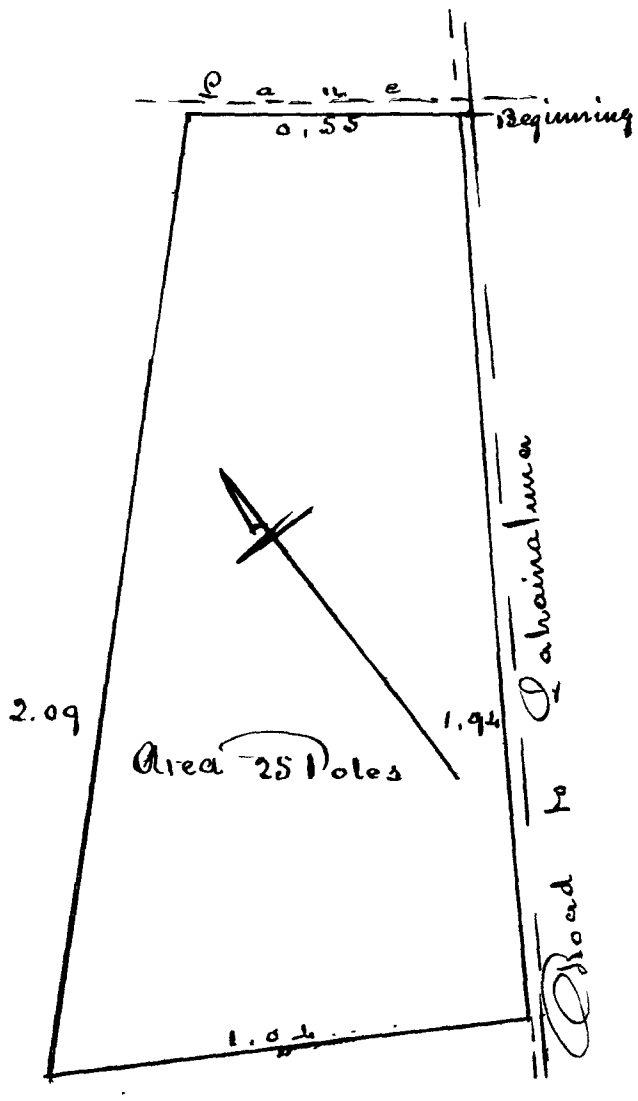
The Correct bounds of this lot are set forth in the following Survey made by W. D. Alexander.

"Survey of Mr Blossoms lot in Lahaina"

Beginning at the E. corner of said lot, where a lane parallel with the sea beach meets the Road leading from the beach to Lahainaluna and running: N. 37° E. 55 ch to a taro patch of Nikiau - thence S. 61 W. 2,09 Ch thence S. 44 E. 1,04 Ch. to Road leading to Lahainaluna; thence N. 48° E. 1,94 Ch. along said Road to beginning.

Area 25 Poles

330



The lot here described contains twenty-five square poles, as measured by me this 15th February 1849

W. P. Alexander

Board of Commissioners Ja Land Claims
Adjudication of Cl. No. 518 W. B. Wilson Dft

		$	
To	Incidental expences of Commn 1st action 1 Dec 1847	2	
"	Citation 55 cts & deposn of Claim reduced fol 55 cts	1	
"	Draft Test reduced and engrossd - - fol 1 - -		75
"	Engrossg Copy of S. Metcalfs Survey - - fol 4 - -	2	
"	Report of Commrs this day rendered on above Cl	5	
		10	75

To Costs in Claim No. 518B - Including Survey as above
Hale Kauwila } by Revd W. P. Alexander 2.50
February 26 - 1849 } H. Kaauwai 13 25
J. H. Smith

(Note Carelessly overlooked by the other Commissioners in the numerous hasty signings at a time)

Claim. N°570. Amow.

This is a claim to a house lot in Honolulu. From the Evidence taken it appears, that this land was obtained by Chin, alias Aaiana, a Chinaman, in, or previous to the Year 1825; And that he, in Company with the Claimant, and other Chinamen, occupied the same in peace, until 1st day of September A.D. 1826. when he sold all his Rights in said Land to the Claimant, and went to reside on Hawaii. Amow occupied the same in peace until his death, which happened by drowning on 1st of September 1827.

According to the Rules which govern the Board the Rights of Amow in this Land ceased with his death: he having nothing more than a Life estate in said Land; but the Claimant having been a worthy and exemplary Citizen; and having left a Widow and two Children, We would earnestly recommend to his Majesty in Privy Council, that he bestow on said Widow, named Debola and her two Children Aboy a son; and Kaielele Ponuoole a daughter, a Fee-simple or life-estate in said Land.

While such a Gift on the part of his Majesty would be generous; we consider that it would be nothing more than just; and therefore we urge the bestowment of this favor with no small degree of Earnestness.

The Correct boundaries of this land are contained in the Enclosed Survey of J. Metcalf Esq^r. made on 1st of May 1847.

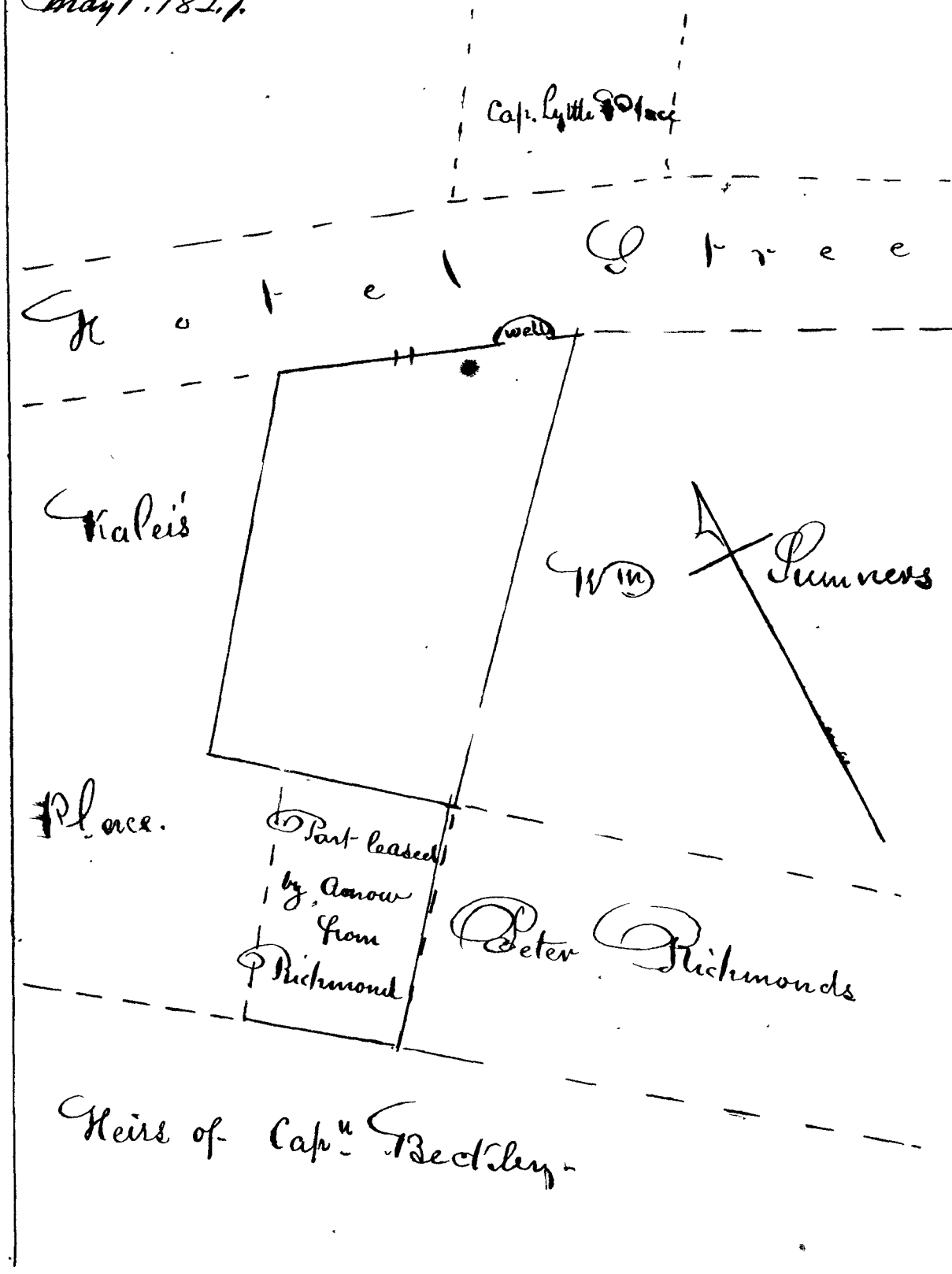
"Bake house lot Honolulu

Commencing at E. Corner of this place on Makai side of Hotel St joining W Sumner 1st place on S. E. and running N. 67° W. 65 1/2 ft. along Hotel St. to lot said to be owned by Kalei, daughter of Mayor Warren now living in California - (this line sweeps around & includes Well - see diagram) Thence S. 37° W. 55 11/12 ft. along Boundary line between this and Kalei's to slight angle in Wall. Thence S. 39° W. 31 8/12 ft. along Kalei's to

332

W. Corner of this place. (also West corner of Adobie house in this lot) Thence S. 49° 45' E. 53 ft. along Kaleis and boundary line between this & a piece of land leased by Aanow from Peter Richmond to the corner of Wm Summers & P. Richmonds lots. Thence N. 43° 30' E. 1 Ch. 4 inch. along Wm Summers to slight angle (S. corner of house) Thence N. 46° E. 21 10/12 ft. to E. Corner of adobie house in this lot. Thence N. 41° 30' E. 17 10/12 ft. to Hotel Street. - place of Commencement - taking in all surrounding walls, and including an area of Fathoms 153. Feet 4.

May 1. 1847.



Board of Commissioners for Land Claims
Adjudication of Claim No 570 Amow $ &c

To incidental Expences of Commission		1	
" action of Commiss.rs in this C. 22nd Nov. 1847		1	
" draft deposition of Claim reduced	$2	1	
" Citation			50
" draft testimony reduced and Engrossed	$2	1	50
" Engrossed Copy of Survey	$3	1	50
" Report of Commissioners this day rendered on the above Claim		5	
		11	50

W. L. Lee
G. M. Smith
Joanedi
L. Mc Kean akau
Z. Kuaiwai

Date Honolulu
21 September 1848

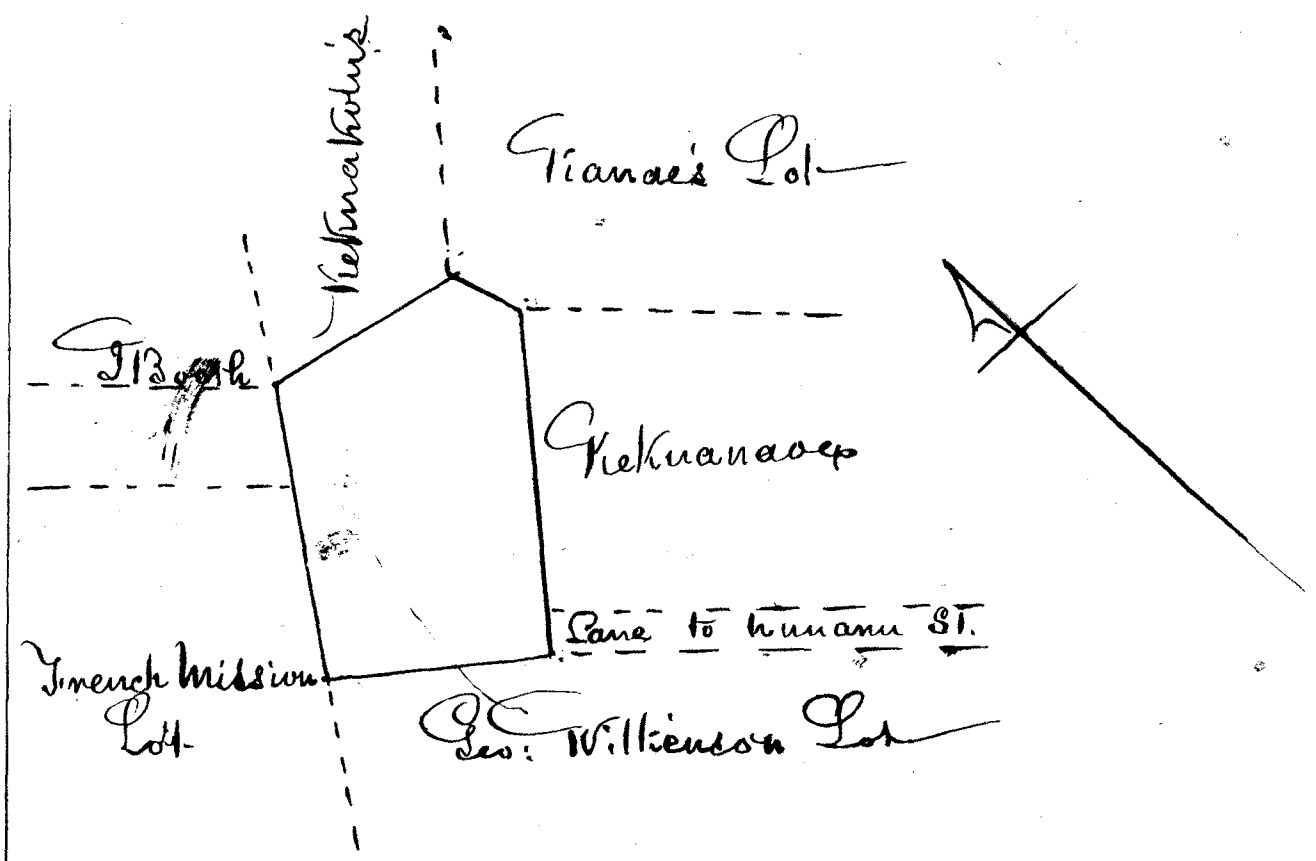
Claim No 601. John Kobbs

This is a claim to a house lot in Honolulu. From the Evidence, it appears that the Claimant possessed a lot in right of his Wife, which was badly cut up in the Year 1838 by the opening of Nuuanu St.; and that H. E. Gov.r Kekuanaoa in consideration of the same, gave him the lot now claimed. John I. testifies that by order of his Majesty, he cleared the Natives from this lot in the Year 1843, and put Claimant in possession of the same, which he has held in peace to the present by himself or others.

We therefore award to the Claimant John Kobbs a Freehold or Life Estate in said lot, according to the 1st Rule of this Board. He is at Liberty to Commute this Estate for a Fee-simple one, as prescribed by Law, or can have a lease of the same for 30 Years, Free of Rent, without payment of any Commutation. The boundaries of the above Claim are correctly defined in the following Survey of J. Melcalf, Esq.:

"John Hobbs house Lot Honolulu
Commencing at makai W. Corner of this Lot joining
French Catholic Mission Lot (Kalanikahua) and
running S. 50° E. 51 ½ ft. along the Geo. Wilkin-
-son Lot to S. Corner of this by Lane. Thence
N. 40° 45' E. 1 Ch. 17 2/12 ft. along Lot claimed
by M. Kekuanaoa to Kanae's Lot Thence N.
14° W. 15 2/12 ft. along Kanae's to Lot claimed
by Kekuakotu angle. Thence N. 75° 45' W.
49 ½ ft. along Kekuakotu's to S. Booths Lot
Thence S. 31° 15' W. 25 ft. along S. Booths to
Catholic Mission Lot Thence S. 36° 45' W.
44 3/12 ft. to place of Commencement including
an area of Fathoms 123.

February 24. 1848.



Board of Commissioners for Land Claims
Adjudication of Claim of Lot. John Hobbs Dr.

To Incidental expences of Commission	1	
" Action of Comm.rs on Citation for Claimants Att.e	1	50
Carried over	2	50

Amt Cor.d		$ 2	50
To draft-deposition of Claim Reduced	Fol 4	2	
" do Testimony Reduced & Engrossed	F. 2	1	50
" Survey of J. Metcalf. of Land Claimed		5	
" Engrossing Copy of Survey	F2	1	
" Report of Commissioners this day Rendered on the above Claim		5	
		$ 17	

W. L Lee
J. H Smith
Commissioners

Hale Kauwila
21 September 1848

Joseph
S. M. S Commissioner
H. Kauwwai

Helu 57 — S. Kou

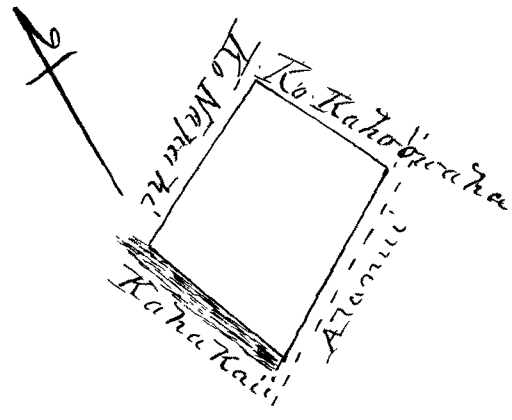
O keia wahi a S. Kou e koi mai nei aia ma Ka punkolo i Honolulu, he wahi keia ua hookaapaaia iwaena o S. Kou lana me Kiheva. A ke nana ana i ka na hoike, he wahi keia ua loaa ia Piko ma Ka uwa o Kamehameha I. a hiki i ka uwa o ua Piko nei i make ai, ua lilo ia S. Kou kahi ana e koi mai nei, no ka mea he keiki ia na Piko, a pela no o Kiheva he mau keiki no lana nana. Aka, ma ko lana ua hoopaa paa no keia wahi, ua haalele o Kiheva i kona koi ana, a ua hoihoi aku no S. Kou ua wahi nei.

Nolaila ua 'kaka malaila no ua S. Kou keia wahi. Penei nae na palena.

— Anaia e Georgi Richardson —

Komakaia ma ke kihi Komohana, holo aku ka aoao mua Akau 58° 31' Hikina 1 Kaulahao 14/12 Kapuai, e pili ana i ko Napahi pahale, a hiki i ko Kahoowaha, alaila huli Hema 30° 30' Hikina 54 9/12 Kapuai e pili ana i ko Kahoowaha pahale hiki i kahi alanui; alaila huli Hema 57° Komohana 1 Kaulahao 11 3/12 Kapuai, e

pili ana i Kahi Alanui hiki i Kahakai; alaila huli i holo hou i ke kihi i hoomaka'i ke ana ana A- kau 20° Komohana 59 5/12 Kapuai e pili ana i Kahakai, Eia ka ili oloko o keia wahi, he 99 anana 29 Kapuai. ℄ Kuea.



Aua hooko iho nei makou no L. Kou keia wahi, he kuleana hoi kona malalo o ke ano Alodio; ua komo no hoi maloko o ka Helu 1. Ina uku mai oia i ko ke Aupuni hapaha, alaila ua kupono ia ia ka palapala Sila Nui ano Alodio.

A pono nae ia ia ke uku mai no ka hookolo- kolo, a me ka hooholo ana i ka olelo penei;

		D^rs.	
No ka ouni a me ke pai ana i ka olelo ma ka Hupefa.	$	1	"
No ke Kope ana i na olelo koina 2 aoao		1	"
No ka palapala Kii			50
No ka kauna-ana i Ka la 9 June 1847		1	
No ke Kope ana i ka olelo a na Hoike 2 aoao		1	50
No ke ana ana i Ka aina 8 Julai 1848		2	50
No ke Kope ana i ke ana ana			50
No ka hooholo ana i Ka olelo		2	50
		10	50

William L. Lee
Iuneki

Hale Kauila
13 Octobes 1848

J. K. Smith
S. M. Kamakau
Z. Kaauwai

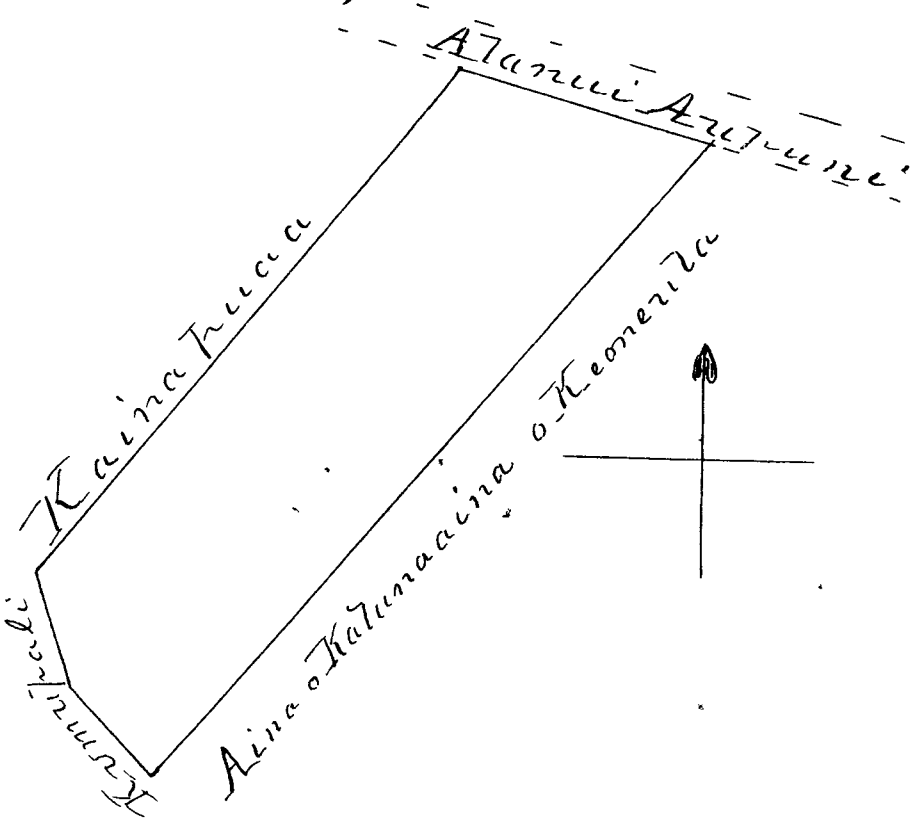
Helu 276. Kaholo

Ua koi mai nei oia no kona aina, Anana makou i kela aina ana e koi nei, he aina ua loaa ia ia no ka moi Kamehameha III. i ka wa e noho ai kela aina ana o K. A. Kuakini no Oahu nei M. H. 1831 a hiki i nei wa.

Nolaila ua manaopopo nona no kela aina, Penei nae na Palena.

Ana ia e George Richardson

E hoomaka ana i ke ana ana ma ka aoao makai o ke Alanui Aupuni, ma ka pahu hoi e ku ana ma ke kihi Hikina o kela aina, a holo aku la ka aoao mua Hema 51.15' Komohana 8 Kaulahao 52 Kapuai 0 iniha, e pili ana o Keoneula ma ia aoao hiki i Kumupali, alaila; huli a holo mawaena oia Aina, a me Kela Aina. Aka u 14° Komohana 1 Kaulahao 21 Kapuai. 1 iniha, Huli Akau 13° 30' Hikina 1 Kaulahao 17 Kapuai 10 iniha hiki i Kainapuaa, alaila; huli a holo mawaena oia Aina a me Kela Aina i ka Akau 44° Hikina 6 Kaulahao 63 Kapuai 4 iniha hiki i ke Alanui Aupuni, alaila holo mawaena o ke Alanui Aupuni, a me Kela Aina. Hema 44° 30' Hikina 2 Kaulahao 59 Kapuai 5 iniha hiki i kahi i hoomaka'ii. Eia ka ili malotto o Kela Aina. 2 Eka. 227 Anana. 1 Kapuai.



Oia Ka makou e hookoo nei no Kaholo, he kuleana hoi kona malalo iho o Ke ano Alodio. Ina uku mai oia i ko Ke Aupuni hapakolu alaila kupono ia ia Ka palapala Sila Nui, Ano Alodio

Pono nae ia ia Ke uku mai no Ka hookolokolo ana, a me Ka hoohoio ana i Ka olelo penei.

No Ka nuni, a me Ke pai ana i Ka olelo hoolaha ma Ka Nupepa		1	
No Ke Kope ana i na olelo kona	aoao 2	1	
No Ka palapala Nui			50
No Ka hana ana i Ka la 5 Oct. 1847		1	
No Ke Kope ana i Ka olelo a na hoike	aoao 2	1	50
No Ke ana ana i Ka aina 3 Oct. 1847		2	50
No Ke Kope ana i Ke ana ana			50
No Ka hoohoio ana i Ka olelo		2	50
		$ 10	50

William L. Lee
Loanedi

Kute Kauwila
13 October 1848

J. Kalinipi
S. M. Kamakau
V. Kaauwai

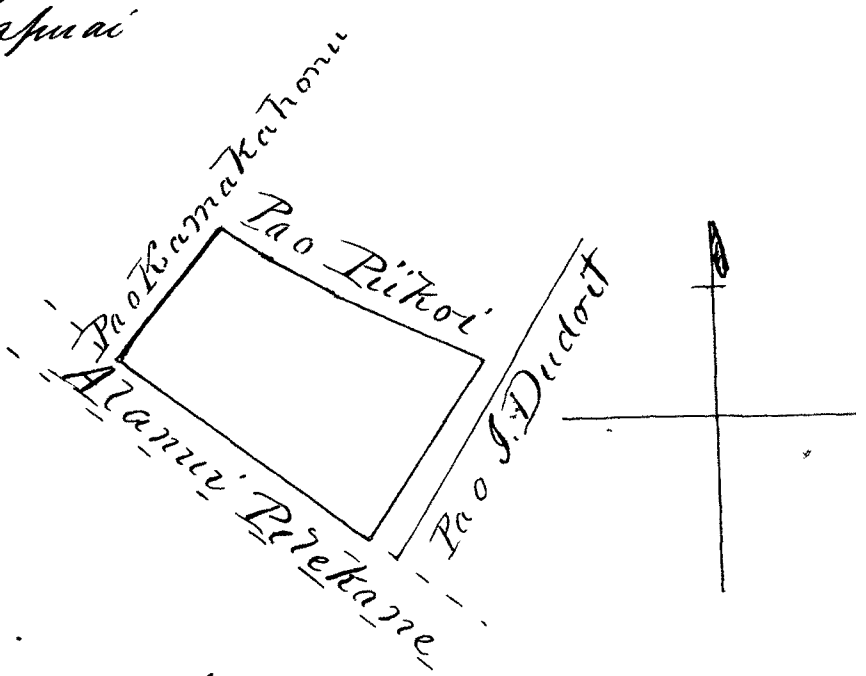
Helu 590 Kauiokamoa

Ua koi mai oia no kona noho ana ma Honolulu nei, no Ka mea, ua loaa no ia ia Kela wahi mauna o Ke Kau ana o na Kanawai, ma Ka M. H. 1828, a ua noho iho no oia mailaila mai a Keia wa. Penei nae na Palena.

Anaia e Gorge Richardson —

Homakaia ke ana ana i Keia pahale ma ke Kihi Hema e pili ana i Ke Alanui Pelekane, a holo aku la Ka aoao mua Akau 51° Komohana 3 Kaulahao 19 Kapuai i iniha, E pili ana ia aoao i Ke alanui Pelekane hiki i Ka pa o Kamakahonu, alaila, huli a holo

mawaena oia pa a me Keia Akau 40° Hikina 1 Kaulahao 52 Kapuai 10 iniha hiki i ka pa o Piikoi, alaila, huli a holo mawaena oia pa a me Keia Hema 47° Hikina 23 Kapuai 9 iniha, huli Hema 59.30' Hikina 1 Kaulahao 5 Kapuai, 3 iniha, huli Hema 61°30 Hikina 1 Kaulahao 43 Kapuai 7 iniha hiki i Kahi Alanui uuku mawaena o Keia pa, a me ka pa o J. Dudoit, alaila, huli a holo mawaena oia wahi Alanui (uuku nui) a me Keia pa Hema 35°30' Komohana 2 Kaulahao 19 Kapuai 2 iniha hiki i Kahi i hoomaka'i ke ana ana. Oia ka ili maloko o Keia pahale 776 Anana 29 Kapuai



Oia no ka makou e hooko nei nona no ia wahi, he kuliana hoi kona malalo o ke ano Alodio. Ina uku mai oia i ko ke Aupuni hapaha, alaila ua kupono ia ia ka palapala Sila Nui ano Alodio.

Pono nae ia ia ke uku mai no ka hookolokolo, a me ka hoohalo ana i ka olelo penei.

No ka oumi a me ke pai ana i ka olelo hoolaha ma ka Nupepa. $ 1

No ke kope ana i na olelo kuina 1 aoao		50
No ka palapala kii		50
No ka hana ana i ka la 17 Nov. 1847	1	
No ke kope ana i ka olelo a na hoike 2 aoao	1	
No ke ana ana i ka aina Nov. 17, 1847.	2	50
No ke kope ana		50
	7	

Eiuana i Kela aoao

340

Mai Kela aoao mai
No Ka hooholo ana i Ka olelo

7
2 | 50
9 | 50

William L. Lee
Aoao di

Kale Kauhola
13 Cctober 1848

J. L. Ms. Kamakau
Ua. Kauwuni

Helu 271 Mere a S. Ai ✓

O Keia wahi kuleana eia no ma ke Kulanakauhale o Honolulu, he wahi Keia i waiho wale no ke Aupuni he alanui Kahiko, ma Ka wa i hanaia i na alanui hou i Ka M. H. 1837 loaa mai Keia wahi, na ke Kiaaina i haawi no Ka lilo ana o ko laKou wahi Kahiko i ua Kiaaina nei, a mailaila no Ka lilo ana ia ia a Keia wa, pela Ka olelo a na hoike.

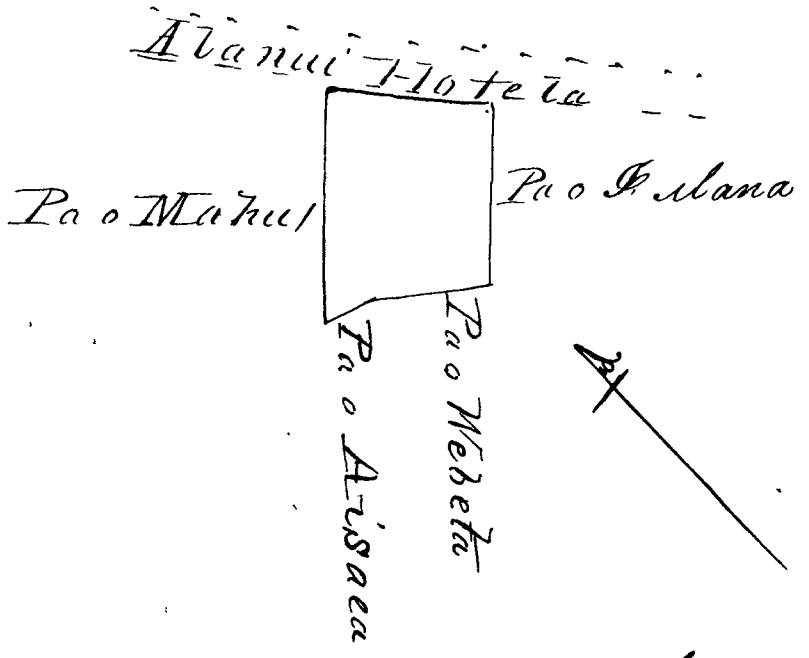
Nolaila ua maopopo ia makou Keia wahi mona no. Penei nae na Palena.

Ana ia e George Richardson

E hoomaka ana i Ke ana ana ma Ke Kihi Akau o Keia aina, a holo aku la Ka ao ao mua makai o Ke Alanui Kotela i Ka Hema 43° Hikina 52 1/2 Kapuai, a hiki i Ka o John. Munn, alaila huli a holo mawaena o ia pa, a me Keia i Ka Hema 38° 30' Komohana. 63 1/2 Kapuai a hiki i Ka pa o Mr. Webster, huli Akau 54° 15' Komohana 41 1/2 Kapuai e pili ana i Ka pa o Mr Webster, huli Akau 66° 45' Komohana 16 1/2 Kapuai, e pili ana i Ka pa o Aisaea, a hiki i Ko Makou wahi, huli Akau ~~40° 30'~~ 43° Hikina 1 Kaulahao 11 1/2 Kapuai, hiki i Kahi i hoomaka'i Ke ana ana.

Eia hoi Ka ili malolo o Keia aina 108 Anana, 27 Kapuai.

E hoike ka hunahelu Akau 40° 30' Hik.
E e hoohemii, malaila Akau 43° Hik.
Honolulu Sept 6 1852



Oia hoi ka makou e hookoo nei no ulere Ai ia wahi, he kuleana hoi kona malalo o ke aupuni Alodio. Ina uku mai oia i ko ke Aupuni kapaha, alaila na Kupono ia ia ka palapala Sila Nui ana Alodio.

Pono no hoi ia ia ke uku mai no ka hookolokolo a me ka hoohalo ana i ka olelo.. penei.

		Dr.	
No ka nuni, a me ke pai ana i ka olelo hoolaha ma ka Nupepa		1	
No ke kope ana i ka olelo kuia	Aoao 3	1	50
No ka palapala kii			50
No ka hana ana i ka la 5 Oct. 1847		1	
No ke kope ana i ka olelo a na Hoike	aoao 2	1	
No ke ana ana i ka aina 21 Sept. 1847		2	50
No ke kope ana o ke ana ana			50
No ka hoohalo ana i ka olelo		2	50
			10 50

Kate Kaulielu
13 Octobea 1848

William L. Lee
Joane Li
L. Ma. Kamakau
D. Kaauwai

Helu 224 Mahu

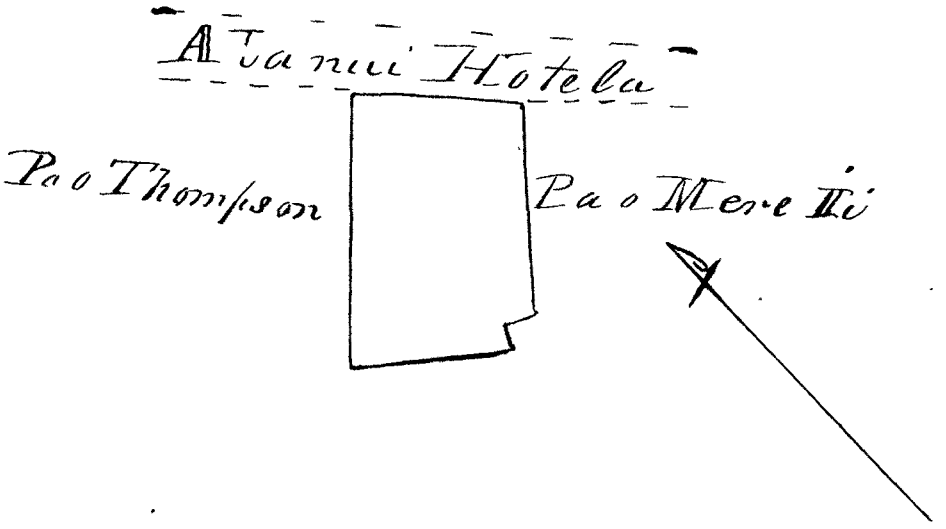
O kuia kuleana a Mahu e koi mai nei, he kuleana ka-

Ko loa mai e Kamehameha I mai, a ua lilo aku ia wahi ia Keaka Amara i ka wa i hanaia na alanui i Ka manawa o Kinau, haawi Ke Kiaaina i Keia wahi e pani no Ko Lahu ma wahi i lilo ai, ua noho oia mailaila mai a Keia wa.

Nolaila ua 'Kaka loa mona no Keia wahi a-na e Koi mai nei. Pinei nae na Palena.

Anaia e John Richardson

E hoomaka ana i ke ana ana ma ka aoao makai o Ke Alanui Hotela ma ke Kihi Akau o Ko Mere Ii wahi, a moe aku ka aoao mua i ka Hema ~~40°~~ 43° 'Komohana 1 Kaulahao 11 1/2 Kapuai a hiki i ka pa o Aisaea, a malaila aku i ka Akau 65° 15' Komohana a hoi iki 9 Kapuai 11 iniha, a hiki i Kahi Kekee o ka pa o Aisaea, huli i ka Hema 33° Komohana, a hoi iki 7 Kapuai 2 iniha, a hiki hou i Kahi kekee o ka pa o Aisaea, a mailaila aku i ka Akau 54° Komohana 53 Kapuai 6 iniha, a hiki i ka Hale Maika o S. Thompson, a malaila aku i ka Akau 44° 45' Hikina 1 Kaulahao 3 1/2 Kapuai, a hiki i ke Alanui Hotela e pili ana no i ka Halemaika o S. Thompson, a malaila aku i ka Hema 43° Hikina 56 9/12 Kapuai, hiki hou i Kahi i hoomakaia'i Ke ana ana. Eia hoi ka ili o Keia aina 153 Anana, 30 Kapuai.



O Keia kuleana hoi ka makou e hooko nei no Lahui he kuleana nui hoi kona malalo o ke ano

E Kokua Ka Lunakoki Hema 40° 30' Kom.
A e pomaikai malaila Hema 43° Kom.
Kaulahao Kene 11 1/2.

Kaiwiopuaa Kaiwiopuaa
Kaiwiopuaa

Alodio. Ina ua'u mai oia i Ko Ke Aupuni kapaka, alaila ua kupono ia ia Ka palapala Sila Nui. Ano Alodio

Pono no nae ia ia Ke uku mai no ka hookolokolo, a me ka hoohalo ana i Ka olelo penei;

No Ka rumi a me Ke pai ana i Ka olelo ma Ka Nupepa. $8 1

No Ke kope ana i na olelo koina	awa 3	1	50
No Ka palapala kii			50
No Ka hana ana i Ka la 30 Aug. 1847		1	
No Ke kope ana i Ka olelo a na koike	awa 1		75
No Ke ana ana i Ka aina 31 Aug. 1847		2	50
No hi kope ana i Ke ana ana			50
No Ka hoohalo ana i Ka olelo		2	50
		10	25

Kate Kaulila
13 Octobet 1848

William L. Lee
Konesi

J H Smith
D M Kamakau
Ki Kaauwai

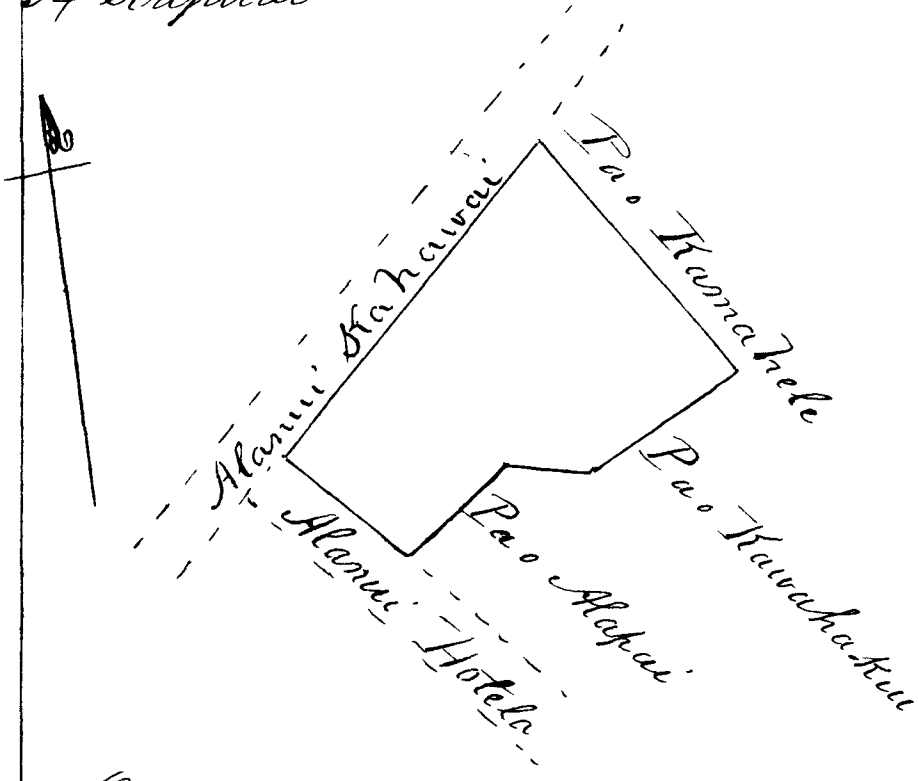
Helu 127 Kauwi

Ua koi mai o Kauwi no Kona wahi ma Honolulu nei, mamuli o Ka inoa o Kana wahine, ua loaa ia ia i Ka wa o Kamehameha II., a ua koi mai ua Kauwi nei i Kahi ia Silinoe, e lilo pu ia wahi ia Lana, e like me Ka loaa ana ia Lana oia wahi a pau i Kela mana-wa. Aka; i ko makou nana ana i Kana hoike, ua lawe ke kiaaina a kauwi ia Silinoe mamua o Ke kau ana o na Kanawai oia Ka M. A. 1838. Ua maopo-po no nae Kahi a Lana e noho nei no Kauwi, Penei no na Palena.

Anaia e George Richardson

Homaikaia ke ana ana ma ke Kihi Koma, a holo aku Ka awa o mua. Akau 41.° 30' Komohana 57 1/2 Ka-jimai. o ke Alanui Hotela ke pili ana ma ia awa o

a hiki i ke Alanui Kahawai, alaila huli a holo iuka ma ka aoao oia Alanui Akau 48° 30' Hikina 2 Kaulahao 12 6/12 Kapuai hiki i ka pahale o Kamahele; alaila, huli a holo mauaena oia pa, a me Kela Hema 31° Hikina 1 Kaulahao 39 7/12 Kapuai hiki i ka pa o Kauahakui; alaila huli a holo mauaena oia pa a me Kela Hema 65° Komohana 62 8/12 Kapuai hiki i ka pahale o Alapai; alaila huli a holo mauaena oia pa, a me Kela Akau 73° Komohana 26 7/12 Kapuai huli hoi i ka hi i hoomaka'i ke ana ana Hema 55° Komohana 46 2/12 Kapuai. Oia ka ili o Kela pahale 314 anana, 34 Kapuai



Oia wahi ka makou e hoohe nei no Kaiwi ma, he kuleana nui hoi kona malalo o ke ano Alodio. Ina uku mai oia i ko ke Aupuni hapaha, alaila na kupono ia ia ka palapala Sila Nui ano Alodio Pono nae ia ia ke uku mai no ka hookolokolo, a me ka hoohalo ana i ka olelo penei.

		Dr.	
No ka nui a me ke pai ana i ka olelo hoolaha ma ka Nupepa.		1	
No ke kope ana i na olelo hoina aoao 2		1	
No ka palapala Kii			50
No ka hana ana i ka la 14 Dek 1846		1	
No ke kope ana i ka olelo a na hoike aoao 2		1	50
6 na ana i Kii 1 aoao		5	

Mai Kela aoao mai

No Ke ana ana i Ka aina 29 Dek. 1847	2	50
No Ke Kope ana i Ke ana ana -		50
No Ka hoohalo ana i Ka olelo	2	50
	$ 10	50

Hale Waiwai
13 Cctobu 1848

William L. Lee
Ipaneli
F. H. Smith
L.M.K. ame ka aoao
No. Waiwai

See Page 98

Helu 70. Waiaha

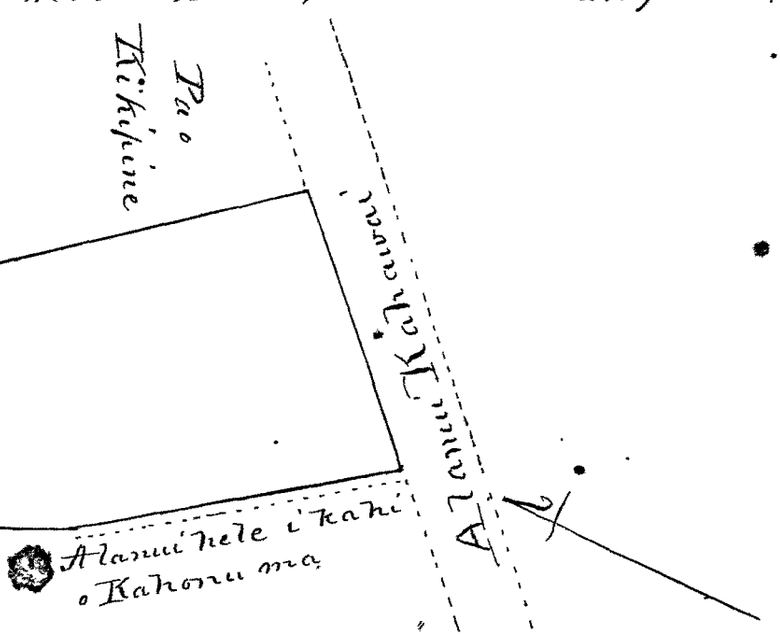
No Ke koi ana mai o Waiaha i Kona mau kuleana He mau kuleana kahiko mai Keia mai Ka wa o Kamehameha I. mai Ka noho ana a hiki i Keia wa. He mau kuleana maopopo maoli Keia nona, o Ka pahale, a me Ka aina hoi i koe ia ia, pela na hoike i olelo mai ai. Ua maopopo nona no Keia mau kuleana ana e koi mai nei. Penei nae na palena.

Anaia e John. Richardson

Apana 1. Ke kii o Ka pahale o Kaaione ma Ke kulana Kauhale o Honolulu i Oahu. Eia hoi kona mau palena. Akau. Pahale o Puaa. Hikina. Pahale no o Puaa, a me Kikipine. Hema. Alanui Kahawai. Komohana He wahi alanui holi e hele ai i Kahi o Kahonu ma, mai Ke Alanui Kahawai mai, a me Ka [illegible] hale o Honaunau.

E hoomaka ana i Ke ana ana ma Ka hihi mauka o Kahi Alanui holi e hele ai i Ka [illegible] o Kahonu ma, mai Ke Alanui Kahawai mai, ma Ka aoao Akau hoi o Ke Alanui Kahawai, a moe aku Ka aoao ~~mauka~~ A. 48° 30' Hi. 1 Kaulahao. 42 3/12 Kapuai, a hiki i Ke kihi Hema o Ka pahale o Kikipine, kuli A. 34° 30' K. 2 Kaulahao 15 10/12 Kapuai, a hiki i Kahi Kekee o Ka pa o Puaa, kuli H. 57° 45' K. 1 Kaulahao 26 6/12 Kapuai, a hiki i Ke kihi Komohana Hema o Ka pahale no o Puaa, kuli H. 22° 30' Hi. 35 8/12 Kapuai a hiki i Kahi Kanahua o

o Keia pa ma ka aoao Hikina loi o ka pahale o Honaunau, alaila huli i kahi i hoomaka i A. 35° 45' Hi. 1 Kaulahao 62 9/12 Kapuai. Eia loi ka ili maloko. 3 Kaulahao 84 Anana 31 Kapuai ; Kuea.



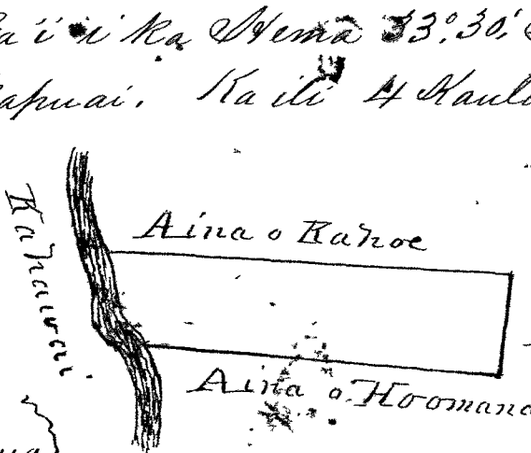
Apana 2. Ma ka Aina Kalo o Waiaha.

Waimalu Oct

Ke kii o ke ana ana i kekahi Apana Aina o Waiaha ma ka Ili aina i Kapaia o Waholoa ma Waimalu i Ewa. Penei na palena. Mauka aina o Kahoe. Ma Honolulu nei o ka Ili aina o Anana, o Hoolilimanu. Mauka Aina o Hoomana. Ma Waialua he Kahawai. E hoomaka ana i ke ana ana ma ke kihi Hikina Hema o Ka Aina o Hoomana. A hoe aku ka aoao mua i Ka Akau 61. 30. Hikina 1 Kaulahao. 4 7/12 Kapuai, a hiki ma ke Kihi Hema aina o Kahoe, huli A. 33° Komohana 4 Kaulahao Kapuai, a hiki ma ke kihi Komohana o ka aina o Kahoe, huli Hema 25° Komohana 1 Kaulahao 16 1/2 Kapuai a hiki i ke kihi Akau o Ka aina o Hoomana. Alaila huli a holo aku i kahi i hoomaka i i Ka Hema 33. 30. Hikina 3 Kaulahao 52 9/12 Kapuai. Ka ili 4 Kaulahao 99 Anana 32 Kapuai

4. 99. 32.
No. 336-1
794.16
1.118.27
4.5.108.32

5 ap. apana
68. 3 Kl. 5 Ak. 36 Kp



Apana 3. Ma Ka aina Kalo o Waiaha

Eia na palena o Kela Apana Mauka aina o Paele, Ma Honolulu nei Ka aina i Kapaia o Waieli o Alapai. Makai Ka aina o Kahoe, Ma Waialua he Kahawai. E hoomaka i Ke ana ana ma ke Kihi Hikina o Ka aina o Kahoe. A moe aku Ka auau mua i ka Akau 61° Hikina 52 10/12 Kapuai, a hiki ma Ka aina o Paele, alaila holo mawaena oia Aina a me Kela Akau 31° Komohana 2 Kaulahao 50 9/12 Kapuai, a hiki ma ke Kihi Komohana o Ka aina o Paele, huli Hema 75° Komohana 58 9/12 Kapuai, a hiki ma ke Kihi Akau o Ka aina o Kahoe, alaila huli ae a holo aku i Kahi i hoomaka'i Hema 35° Hikina 3 Kaulahau 21 1/12 Kapuai. Ka ili. 386 Anana 1 Kapuai

Anaia 6 Sept. 1848
D. Kalanikahua

Waimalu
Ewa

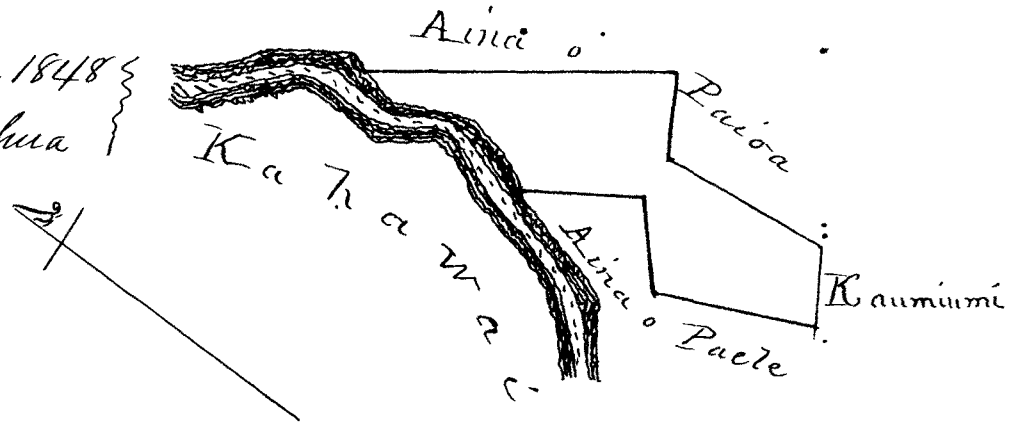
Apana 4. Ma Ka aina Kalo o Waiaha

He ana ana i Kekahi apana o ka aina o Waiaha. Penei na Palena Mauka Ka aina o Paiea, Ma Honolulu nei Ka aina o Paiea, a me Ka aina i Kapaia o Kaumiumi o Waoha. Makai aina o Paele. Ma Waialua he Kahawai. E hoomaka ana i Ke ana ana ma ke Kihi Hikina o Ka aina o Paele, a moe aku Ka auau mua Akau 54° Hikina 46 10/12 Kapuai, a hiki ma Ka auau makai o Ka aina o Paioa, huli Akau 43° Komohana 1 Kaulahao 44 10/12 Kapuai a hiki ma Ka aina o Paioa, alaila holo mawae na oia aina, a me Kela Akau 50° Hikina 62 Kapuai

alaila huli Hoko Akau 44° Komohana 3 Kaulahao, 20 6/12 Kapuai e pili ana ia mau awa ma Ka aina o Paiea; alaila huli a hoko ma Ka lihi Kahawai i Ka Hema 17° Hikina 1 Kaulahao 23 9/12 Kapuai, huli Hema 9.° 30.' Komohana 1 Kaulahao 2 8/12 Kapuai a hiki ma Ka aina o Paele, alaila, huli a hoko mauaena oia aina a me Keia Hema 41° 30' Hikina 1 Kaulahao 13 3/12 Kapuai, a hiki i Ka anakee o Ka aina o Paele, huli Hema 37° 30' Komohana 1 Kaulahao 47/12 Kapuai, a hiki i Kekahi anakee e ae o Ka aina o Paele; alaila huli ae a hoko aku i kahi i hoomaka'i Ke ano ana i Ka Hema 31° Hikina 1 Kaulahao 45 6/12 Kapuai. Ka ili 7.194 Aniana 16 Kapuai

794

Anaia Sept. 6. 1848
D. Kalaniakua



Apana 5

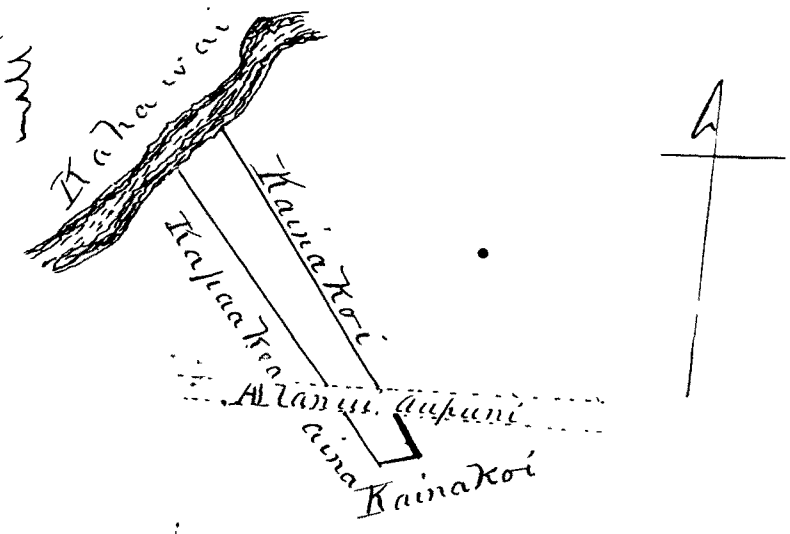
Waimalu Ewa

Ke kii o Ka apana kula o Waiaka ma Ka ili aina i Kapaia o Waholoa ma Waimalu i Ewa.

Eia na palena. Mauka Ka aina i Kapaia o Kainakoi o Alapai, ma Waikiki o Kainakoi no. Ma kai Ka aina i Kapaia o Kapaakea o C. Kanaina. Ma Waialua he Kahawai. E hoomaka ana i Ke ana ana ma Ka liki ma Waikiki o Ke Kahawai, ma Ka aoao makai o Ka aina i Kapaia o Kainakoi. A moe aku Ka aoao mua Hema 33° Hikina 4 Kaulahao, 7 11/12 Kapuai, a hiki ma Ka aoao Akau o Ka pa Aina o Ewa, huli Hema 7°/° 30' Komohana 26 5/12 Kapuai, a hiki ma Ka aoao mauka o Kapaakea aina o C. Kanaina, huli Akau 36° Komohana 2 Kaulahao 52 9/12 Kapuai, a hiki ma Ka liki ma Waikiki o Ke Kahawai,

alaila huli ae i Kahi i homaka i Akau 42° 30' Hikina 39 1/2
Kapuai. Ka ili. 1 Maulahau 118 Anana 21 Kapuai.

Anaia Sept. 4. 1848
D. Kalanikahua



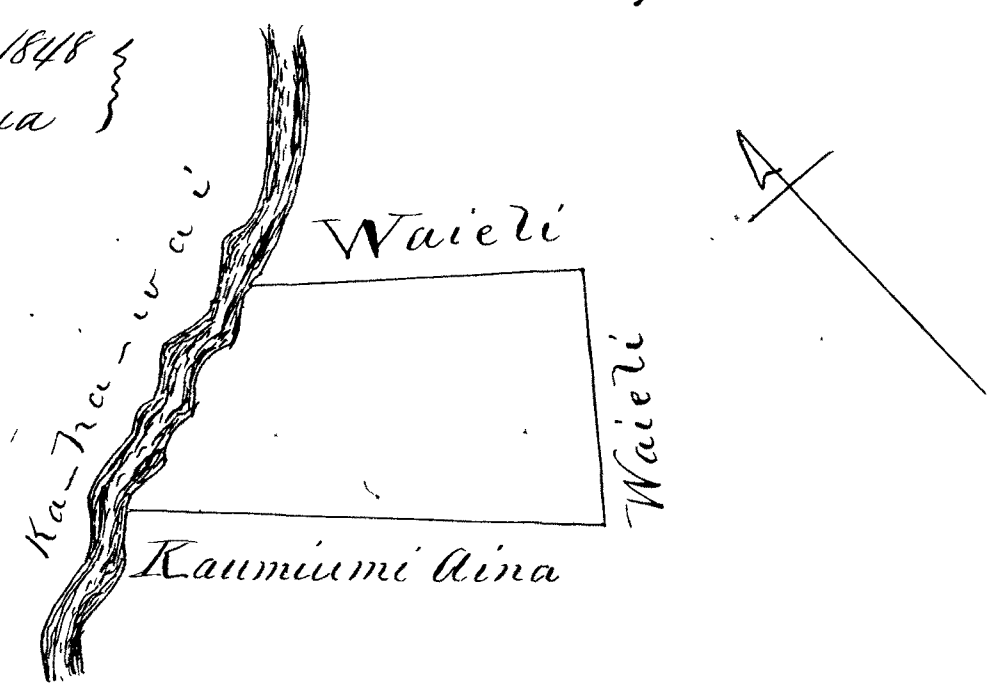
Ahana 6.

Waimalu Ewa

Ke kii o Ka Aina Kula o Waiaha ma ka ili Aina i Kapaia o Waholoa ma Waimalu i Ewa.

E homaka ana i ke ana ana ma ka liki ma Waikiki o Ke Kahawai, ma ka aoao mauka o kekahi Pele Kula o Ka Aina i Kapaia o Kaumiumi. A moe aku ka aoao mua Hema 44° 30' Hikina 10 Maulahau, a hiki ma ka liki Komohana o Ka Pele Kula o Ka Aina i Kapaia o Waieli o Alapai, huli Akau 38° 30' Hikina 5 Maulahau, 26 1/2 Kapuai, a hiki ma ka liki makai o Waieli no, e pili ana no ia aoao ia Waieli, huli Akau 49° Komohana 7 Maulahau, a hiki ma ka liki ma Waikiki o ke Kahawai, e pili ana no ia aoao ia Waieli, alaila, huli ae a holo ae ma ka liki Kahawai i Kahi i homaka i i Ka Hema 7° Komohana 5 Maulahau 26 1/2 Kapuai. Ka ili. 4 Eka, 5 Maulahau 108 Anana 32 Kapuai.

Anaia Sept 7. 1848
D. Kalanikahua



Oia mau kuleana ka makou e hooko nei no Waiaha ma ke ano kuleana nui malalo o ke ano Alodio, aka; ina aku mai oia i ko ke Aupuni hapaha, alaila kupono ia ia ka pilapala Sila Nui ano Alodio.

Pono no hoi ia ia ke aku mai no ka hookolokolo a me ka hoohalo ana i ka olelo penei.

		Dr.
No ka nuna, a me ke pai ana i ka olelo hoolaha ma ka Nupepa		1
No ke kope ana i na olelo koina	aoao 2	2
No ka pilapila kii		50
No ka hana ana i ka la 26 Mar. 1847		1
No ke kope ana i ka olelo a na hoike	aoao 3	1 50
No ke ana ana i ka aina i ka la	6	15
No ke kope o ke ana ana	aoao 12	6
No ka hoohalo ana i ka olelo		5
		32

Hale Kauwila
13 October 1848

William L. Lee
Konohiki
D. Kanoa
his
J. Kaauwai
mark

Helu 48 Kahanaumaikai

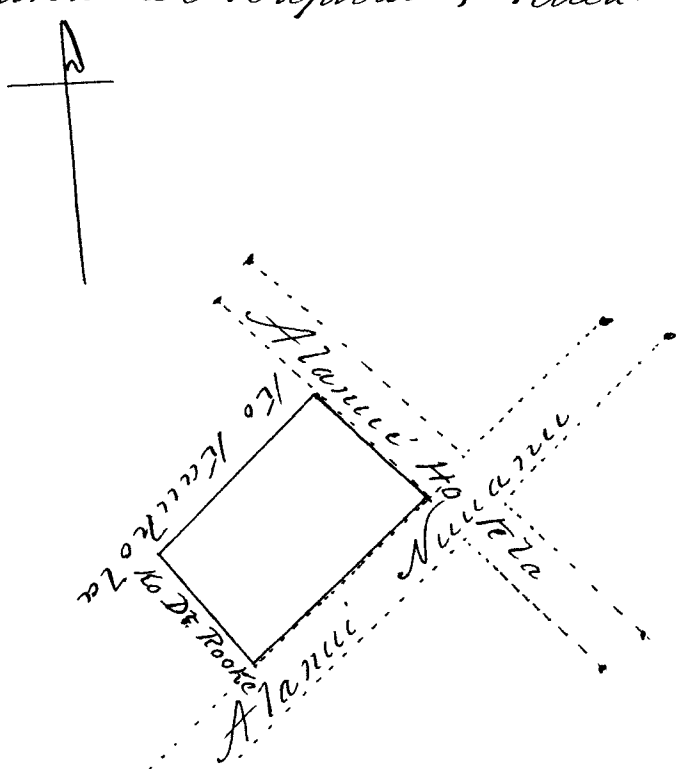
Ua koi mai nei oia m kona wahi e noho nei aia ma Honolulu Kulanakauhale, ua loaa ia ia ma ke kuai ana me Kuhina Hoikaka ma ka M. 1841 ma ke Dala kana kuai ana. A ma ka nana ana i kana hoike, ua akaka malaila he wahi kuleana kona ma ke kuai ana me na mea nona ia mau wahi i lilo ia ia Ko Kuhina Hoikaka, a me Kauhola.

Nolaila ua maopopo ia makou no Kahanaumaikai no ia wahi. Penei nae na Palena.

Aoia e George Richardson

Komakaia ke ana ana ma ke kihi Hikina Akau o Kia wahi, a holo aku ka aoao mua Hema

42° Hikina 52 6/12 Kapuai e pili ana i ke Alanui Hotela, a hiki i ke Alanui Nuuanu, huli Hema 49° 30 Komoha na 1 Kaulahao 17 6/12 Kapuai, e pili ana i ke alanui Nuuanu, huli Akau 36° Komohana 50 6/12 Kapuai, e pili ana i kahi hoolimalima a Typhoun me Dr. Rooke, huli a holo hou i kahi i hoomaka'i ke ana ana Akau 48° Hikina 1 Kaulahao 13 2/12 Kapuai e pili ana i ko Kaiholu pahale, Eia ka ili iloko o keia wahi 110 Anana. 26 Kapuai 1 Kuea.



O Kuia wahi ka makou e hooko ai no Kahanaumaikai, he kuleana nui hoi kona malalo o ke ano Aloha. Ina aku mai oia i ko ke Aupuni hapaha, alaila na kupono ia ia ka palapala Sila Nui, ano Aloha.

Pono no hoi ia ia ke aku mai no ka hookolokolo a me ka hoohalo ana i ka oleo penei.

No ka rumi a me ke pai ana i ka olelo hoolaha ma ka Nupepa		1	
No ke kope ana i na olelo kuina.	Aoao 2	1	
No ka palapala Sila			50
No ka hana ana i ka la 14 July 1846		1	
No ke kope ana i ka olelo a na hoike	Aoao 2	1	50
No ke ana ana i ka aina i ka la 27 June 1848		2	50
Emana i kela aoao		7	50

		Dz.
Mai Kela avao mai		7 50
No Ke Kope o Ke ana ana		50
No Ka hooholo ana i Ka olelo		2 50
		10 50

Hale Kauleia
13 Octobet 1848

William L. Lee
Iogre di
Hoolilo Kamakau
Ua. Kaauwai

Helu 88 Kekuamanoha

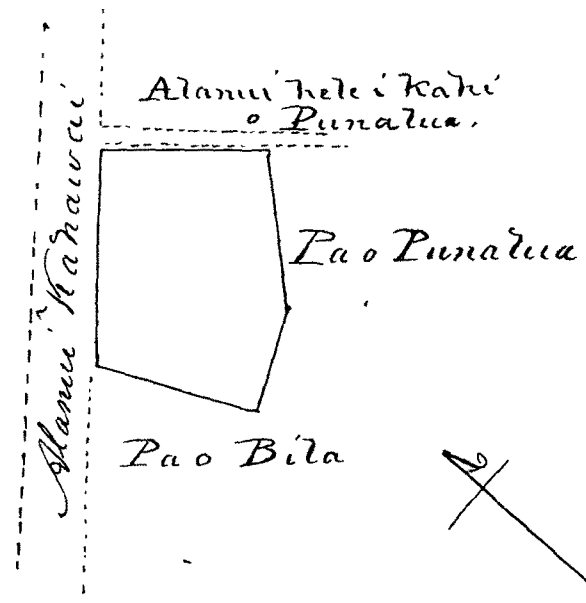
Ke koi mai nei oia he kuleana kona ma Ka haawi ana a Punalua ia ia, a ua noho ua Kekua-manoha nei ma Keia wahi mai ka wa e noho ana o Poki, a hiki mai i Keia manawa. Ua maopopo he kuleana Keia mamua o Ke Kau ana o na Kana-wai. Nolaila ua akaka mau no Keia wahi ana e koi mai nei. Penei nae na Palena.

Ana ia e John Richardson

Eia koi kona mau palena. Akau. Alanui Kahawai. Aikina he wahi alanui olohi e hele ai i Kahi o Puna-lua mai Ke Alanui Kahawai mai. Hema. Pahale o Punalua. Komohana. Pahale o Bila.

E hoomaka ana ma Ka lihi makai o Kahi alanui olohi e hele ai i Kahi o Punalua, mai Ke Alanui Kahawai mai, ma Ka avao Hema hoi o Ke Alanui Kahawai, a moe aku Ka avao mua A. 49° K. 1 Kau-lahao 8 6/12 Kapuai a hiki i Ke Kihi Aikina Akau o Bila, Huli A. 27° Aik. 57 8/12 Kapuai a hiki i Ke kihi Komohana Akau o Ka pahale o Punalua, huli A. 66° Ai. 35 4/12 Kap. a hiki i Kahi anakee o Ka pa o Punalua, huli A. 39° Ai. 52 2/12 Kap. a hiki i Ka lihi makai o Kahi alanui e hele ai i Kahi o Punalua mai Ke alanui Kahawai mai, alaila huli i Kahi i hoomaka ai A. 35° 15' K. 60 9/12 Kapuai.

Eia koi ka ili maloko. i Kaulahao 25 Anana. 16 Kapuai } Kuea.



O Keia kuleana ka makou e hoohiki nei no Keluamanoha ma ke ano kuleana nui malalo o ke ano Alodio, aka ina aku mai i Ko ke Aupuni kapaha, alaila na kupono ia ia ka palapala Sila Nui ano Alodio.

Pono nae ia ia ke aku mai no ka hookolokolo, a me ka hoohalo ana i ka olelo penei.

No ka oumi a me ke pai ana i ka olelo hoolaha ma ka Nupepa			1	
No ke kope ana i na olelo koina	Aoao	3	1	50
No ka palapa Nui				50
No ka hana ana i ka la 15 Sept. 1846			1	
No ke kope ana i ka olelo a na hoike	Aoao	2	1	50
No ke ana ana i ka aina elei	1847		2	50
No ke kope ana i ke ana ana				50
No ka hoohalo ana i ka olelo			2	50
			$	11

Kate Kaeleula William L. Lee
Stanley
13 Octobe 1848 J H Smith L. L. Kamakau
G. Kaauwai

Helu 255 Hakau

Ua koi mai oia no kona waiwai ma Honolulu

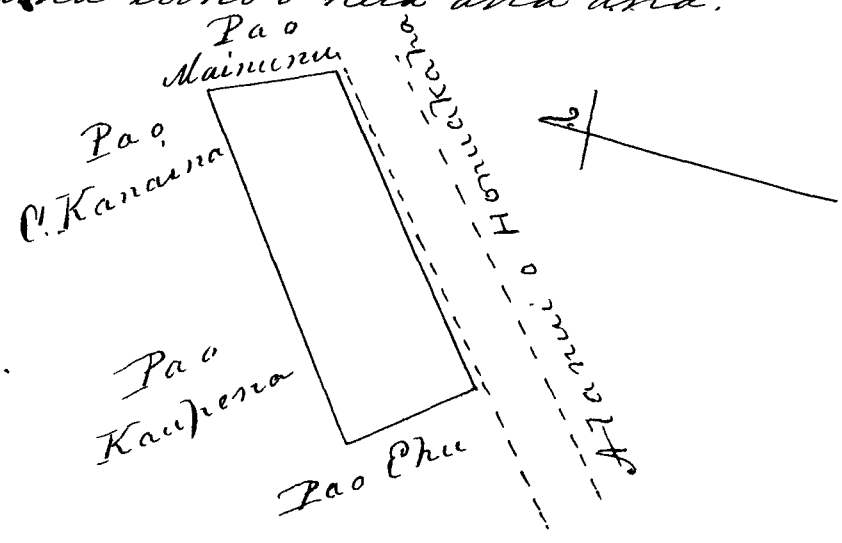
he kuleana kakiko no, no Kaahumanu I ia Kahanamui ke Kane a ua hakau la, ua noho lana ma keia wahi i Ka wa e ola ana o Kaahumanu I, a me Kaahumanu 2. a hiki mai i keia wa.

Nolaila ua maopopo no Hakau no keia wahi Penei nae na palena.

Anaia e John Richardson

E hoomaka ana i ke ana ana i keia aina ma Ka aoao Akau o Ke Alanui Homuakaha ma Ke Kihi Hema hoi o Ka pa o Mainuu, a holo aku la Ka aoao mua i Ka Hema 51° Kom. 3 Kaulahao 48 1/2 Kapuai a hiki i Ka pa o Ehu, huli a holo mauaena oia pa, a me keia i Ka Akau 36° 30' Komohana 1 Kaulahao 31 1/2 Kapuai, oia hoi Ka aoao makai o keia aina a hiki i Ka pa o Kaupena; huli Akau 53° Hikina 4 Kaulahao 4 Kapuai, a hiki i Ka pa o Mainuu, alaila; huli i Kahi i hoomaka i Ke ana ana i Ka Hema 21° 45' Hikina 1 Kaulahao 29 Kapuai. Eia hoi Ka ili o keia aina 688 Anana 35 Kapuai 1/2 Kuea.

Ua komo pu na pa lepo a pau e hoopuni ana i keia aina iloko o keia ana ana.



O keia kuleana Ka makou e hooko nei no Ka Hakau ke Kuleana hoi kona malalo o Ke ano Alodio. Aka, ina aku mai oia i ko Ke Aupuni kapaha, alaila na Kupono ia ia Ka palapala Sila Nui Ano Alodio.

Pono nae ia ia Ke aku mai no Ka hookolokolo

a me Ka ʻĪ o holo ana i Ka olelo penei.

No Ka uuna a me Ke pai ana i Ka olelo hoolaha ma Ka Nupepa			1	
No Ke Kope ana i na olelo Koina	Aoao 2		2	
No Ka palapala Kii				50
No Ka hana ana i Ka la 20 Sept 1847.			1	
No Ke Kope ana i Ka olelo a na hoike	Aoao 3		2	25
No Ke ana ana i Ka aina 17 Sept. 1847.			2	50
No Ka Kope o Ke ana ana				50
No Ka hoo holo ana i Ka olelo			2	50
			12	25

Honolulu
13 Octobes 1848

William L. Lee
Luna di
I. A. Smith Lio Kanakaua
Ua. Kauwai

Helu 263 A. Waiakea

Ke hoi mai nei oia no Kela wahi ana e noho nei. A e Ko makou nana ana he Kuleana Kahiko no, na loaa ia ia mamua o Ke Kau ana o na Kanawai, aa noho oia malaila mai Ka M. H. 1828 a hiki mai i nei wa no Kaahumanu mai.

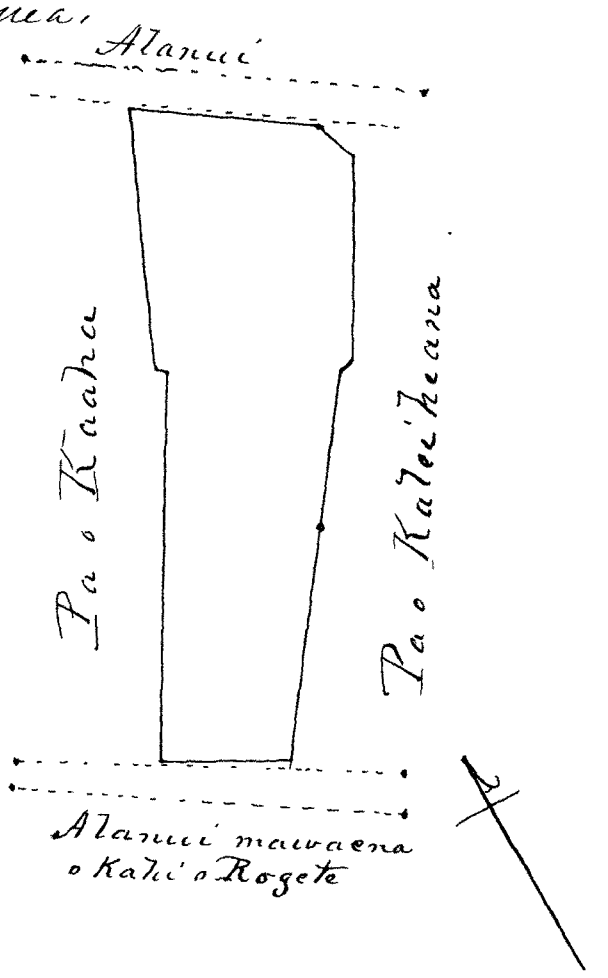
Nolaila na maopopo maoli nona Keia wahi ana e Koi mai nei. Penei pae na palena

Maia e John Richardson

E hoomaka ana i Ke ana ana ma Ka aoao mauka o Kahi alanui mawaena o Keia pa a me Ko Poge ma, e pili ana hoi i Ka pa o Kaleikeana, a holo aku la mawaena o Ka pa o Kaleikeana a me Keia i Ka Akau 61° Hikina 2 Kaulahao 41 7/12 Kapuai, huli Akau 63° 30' Hikina 1 Kaulahao 31 Kapuai, huli Akau 89° 30' Hikina 8 Kapuai, 7 iniha, huli Akau 55° 30' Hikina 2 Kaulahao 6 7/12 Kapuai, a hiki i Ka aoao mauka, huli Akau 6° Hikina 29 Kapuai;

kuli ʻAkau 28° Komohana 2 Kaulahao 2 8/12 Kapuai, a hiki i Ka pa o Kaaha, kuli a holo mauaena o Kua pa, a me Ka pa o ua o Kaaha nei, i Ka Hema 49°30' Kom. 2 Kaulahao 48 10/12 Kapuai, kuli Hema 42°30' Hikina 3 4/12 Kapuai, kuli Hema 56°30' Kom. 4 Kaulahao 7 3/12 Kapuai, a hiki i Kahi a-lanui mauaena o Kua pa a me Ko Rogete ma, alaila kuli a holo ma Ka aoao mauka oia wahi alanui i Ka Hema 36°30' Hikina 1 Kaulahao 41 7/12 Kapuai hiki i Kahi i hoomaka ʻi Ke ana ana.

Oia hoi Ka ili o kua aina. 1 Eka 175 Anana 22 Kapuai ʻ Kuea.



Oia hoi Ka makou e hoohe nei no Waiakea, he kuleana hoi kona malalo o Ke ano Aloodio. Ina aku mai oia i ko Ke Aupuni kapaha, alaila na kupono ia ia Ka palapala Sila Nui Ano Aloodio Pono nae ia ia Ke aku mai no Ka hoohole-kolo, a me Ka hoohole ana i Ka olelo penei, No Ka nunui, a me Ke pai ana i Ka olelo hoolaha ma Ka Nupepa

No Ke kope ana i na olelo kuina. Aoao 5

		$	¢
~~8~~	1		
	2	50	
	3	50	

Ekana e Kila aoao

		$	
Nai Kela aoao mai		3	50
No Ka palapala kii			50
No Ka hana ana i Ka la 24 Sept 1847		1	
No Ke Kope ana i Ka olelo a na hoike	Aoao 2	2	25
No ke ana ana i Ka aina 17 Sept. 1847		2	50
No Ke Kope ana i ke ana ana			50
No Ka hoohalo ana i Ka olelo		2	50
	$	12	75

Kalo Kauwila
13 Octobet 1848

William L. Lee
Paanele
J. H. Smith
L. Kekuanaoa
H. Haalilio

Helu 268. Poaneki

da Punahou
e Pout

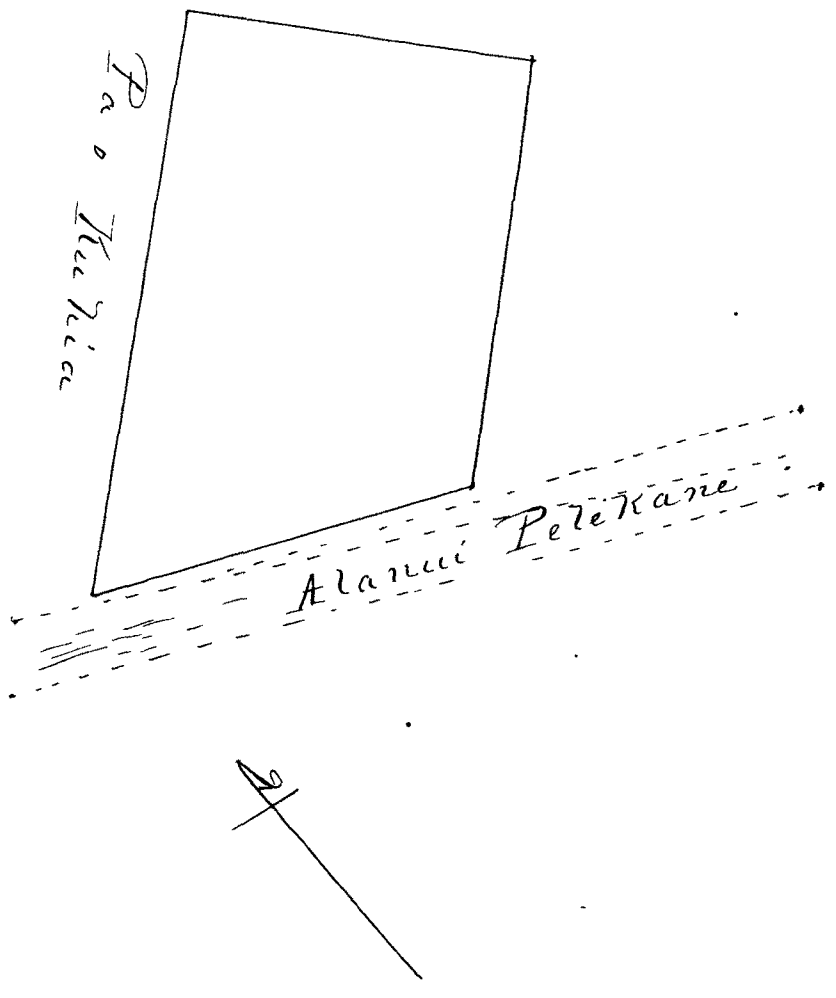
Ke Koi mai nei oia no kona wahi ana e noho nei. Ke makou nana ana he Kuleana Kahiko no ua noho oia ma Keia wahi, mai Ka M. H. 1828 a hiki mai i Keia wa.

No laila ua maopopo ia makou ma na hoike nona ia wahi ana e Koi mai nei. Penei nae na Olelo.

Anaia e John Richardson

E hoomaka ana i Ke ana ana ma Ke Kihi Komohana o Keia aina, a holo aku la Ka aoao mua mawaena o Ka pa o Kukia a me Keia pa i Ka Akau 49° Hikina 6 Kaulahao 28 5/12 Kapuai, a hiki i Ke Kihi Akau o Keia aina, huli Hema 40° 30' Hikina 3 Kaulahao 53 6/12 Kapuai, oia Ka aoao mauka o Keia aina, a hiki i Ka pahu e Ku ana i Ke Kihi Hikina o Keia aina, huli Hema 48° 30' Komohana 4 Kaulahao 46 10/12 Kapuai a hiki i Ka aoao mauka o Ke Alanui Pelekane, huli Akau 64° Komohana 4 Kaulahao 8 7/12 Kapuai hiki i Kahi i hoomaka i Ke ana aina. Oia hoi Ka ili o Keia

aina 2 Ka. 255 Anana 32 Kapuai ʻŌkeʻa.



Oia no Ka makou e hoʻoki nei nona no keia wahi, he kuleana hoi kona malalo iho o ke ano. Aloha. Ina uku mai oia i ke kumu hapaha dalila ua kupono ia ia Ka palapala Sila Nui ano Aloha.

Pono nae ia ia Ke uku mai no Ka hookolokolo a one Ka hoohiolo ana i Ka olelo penei.

		$	¢
No Ka sumi a me Ke pai ana i Ka olelo hoolaha ma Ka Nupepa		1	
No Ke Kope ana i ma olelo kona	Aoao 2	1	
No Ka palapala Kii			50
No Ka hana ana i Ka la 27 Sept 1847		1	
No Ke Kope ana i Ka olelo a ma hoike	Aoao 2	1	50
No Ke ana ana i Ka aina 20 Sept 1847		2	50
No Ke Kope o Ke ana ana			50
No Ka hoohiolo ana i Ka olelo		2	50
		$ 10	50

Kate Kaulwelu
13 October 1848

William L. Lee
Konohiki

Kuaneli
S. M. Kamakau
Y. Kamaueuei

Helu 269 Poane Ii

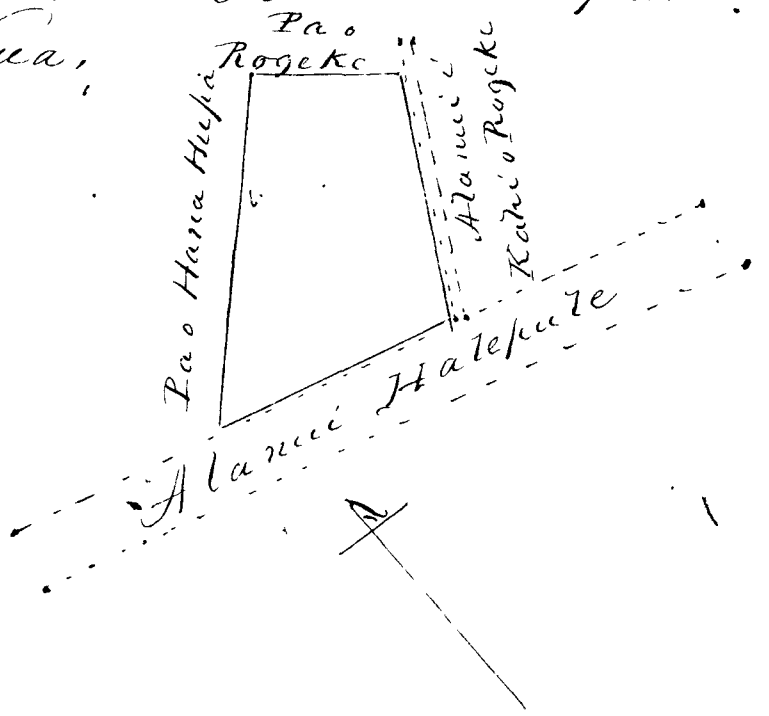
Ua koi mai oia nei he wahi kona ma Keia kulu maluna ua loaa ia ia Iko makou nana ana, he wahi ua loaa ia ia me S. Kahuhu i Ka wa o Kamehameha II. ua like no ia lana Keia wahi, a hoko o Kahuhu me Poki ma, Kauoha oia ia Poane Ii ia wahi, a pula no Ka like ana a hiki mai i Keia wa.

Nolaila ua onaonopio mona no ia wahi ana e koi mai nei. Penei mae na Palena.

Anaia e John Richardson

E hoomaka ana ma Ka lihi mauka o Ke Alanui Halepule ma Ke kihi Komohana Hema kui o Ka pahale o Hana Aupa, a moe aku Ka aoao mua A. 67° Hikina 2 Kaulahao 116 8/12 Kapuai, a hiki i Kahu alanui mauka e pii ai i Kahi o Rogete mai Ke Alanui Halepule mai, hulu A. 39° Hikina 2 Kaulahao 42 9/12 Kapuai a hiki i Ke kihi Komohana Hema o Ka pahale o Rogete, hulu A. 42° 15' K. 1 Kaulahao 36 1/12 Kapuai, a hiki i Ke kihi Komohana Akau o Ka pahale o Rogete, alaila hulu i Kahi i hoomaka i A. 33 K. 3 Kaulahao 48 2/12 Kapuai.

Eia koi Ka ili maloko. 6 Kaulahao 39 anana, 33 Kapuai ʃ Kuea.



O Ku'u wahi hoi Ka makou e hookonei nona, he Kuleana hoi Kona malalo o Ke ano Alodio I- na uku mai oia i Ko Ke Aupuni kapaha na Kuia wahi, alaila ua kupono ia ia Ka palapa- la Sila Nui ano Alodio.

Pono nae ia ia Ke uku mai no Ka hookolokolo a me Ka hoohiolo ana i Ka olelo penei.

		Dr	
No Ka nuni a me Ke pai ana i Ka olelo hoolaha ma Ka Nupepa.		1	
No Ke kope ana i na olelo kuina (uaoa)		1	
No Ka palapala kii			50
No Ka hana ana i Ka la 27 Sept 1847		1	
No Ke kope ana i Ka olelo a na hoike (uaoa)		1	50
No Ke ana ana i Ka aina Mei 1847		2	50
No Ke kope o Ke ana ana			50
No Ka hoohiolo ana i Ka olelo		2	50
		10	50

Hale Kauila
13 Octobea 1848

William L. Lee
Konedi
Ph Smith L.M.K. Komakeau
K. Kaumuai

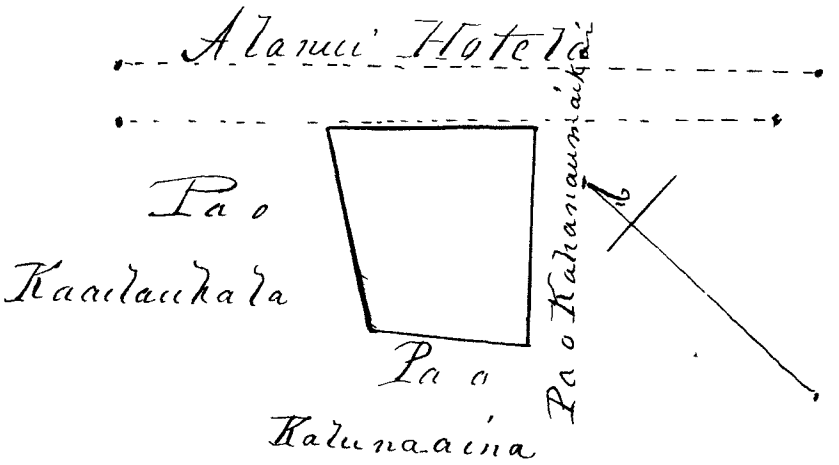
Helu 258 Kauhola

Ke Koi mai nei oia no Kona wahi e noho nei, he kuleana Kona malaila ua loaa ia ia no Kona makuahine, Ka wahine hoi a Kona makuakane ua loaa no ia ia i Ka wa o Kamehameha II. A i Ka wa o Kaahumanu I. haalele ka Makuahine i Keia wahi, a lilo ia ia nei Keia wahi, a ua noho no oia ma Keia wahi, a hiki mai nei i neia wa.

Aolaila ua maopopo Keia wahi ana e Koi mai nei nona no. Penei nae na Palena.

Ana ia e John Richardson

E hoomaka ana i Ke ana ana ma ke Kihi Akau o Keia aina, a holo aku la Ka aoao nui i Ka Hema 48° Komohana 1 Kaulahao 8 7/12 Kapuai, e pili ana ia aoao i Ka pa o Kahanaumaikai, a hiki i Kekahi hale o Typhoun Pake, huli a holo mauaena o Keia pa, a me Ka pa o Kalunaaina i Ka Akau 38° Kom. 54 9/12 Kapuai, a hiki i Ka pa o Kaailaukala huli a holo mauaena oia pa a me Keia i Ka Akau. 33° 30' Hikina 1 Kaulahao 5 11/12 Kapuai; a hiki Ke Alanui Hotela, huli i Ka Hema 41° 30' Hikina 1 Kaulahao 4 3/12 Kapuai, hiki i Kahi i hoomaka'i Ke ana ana. Pia hoi Ka ili o Keia aina 12 1/2 Anana 1 Kapuai 5 Kiua.



Oia Ka makou o hookō nei no Kauhola, he Kuleana hoi Kona malalo o Ke ano Alōdio. Ina uku mai oia i Ko Ke Aupuni hapaha, alaila na kupono ia ia Ka pelapala Sila Nui ano Alodio.

Pono nae ia ia Ke uku mai no Ka hookolokolo, a me Ka hoohoio ana i Ka olelo penei.

		$	¢
No Ka uuni a me Ke pai ana i Ka olelo hoolaha ma Ka Nupepa		1	
No Ke Kope ana i na olelo Koina	Aoao 2	1	
No Ka pelapala Kii			50
No Ka hana ana i Ka la 2d Sept. 1847		1	
No Ke Kope ana i Ka olelo a na hoike Ao: 2		1	50
No Ke ana ana i Ka aina 17 Sept. 1847.		2	50
No Ke Kope o Ke ana ana			50
No Ka hoohoio ana i Ka olelo		2	00
		10	50

Kate Kauwila William L. Lee

13 Octobea 1848 J. H. Smith Kakauolelo Kuhina

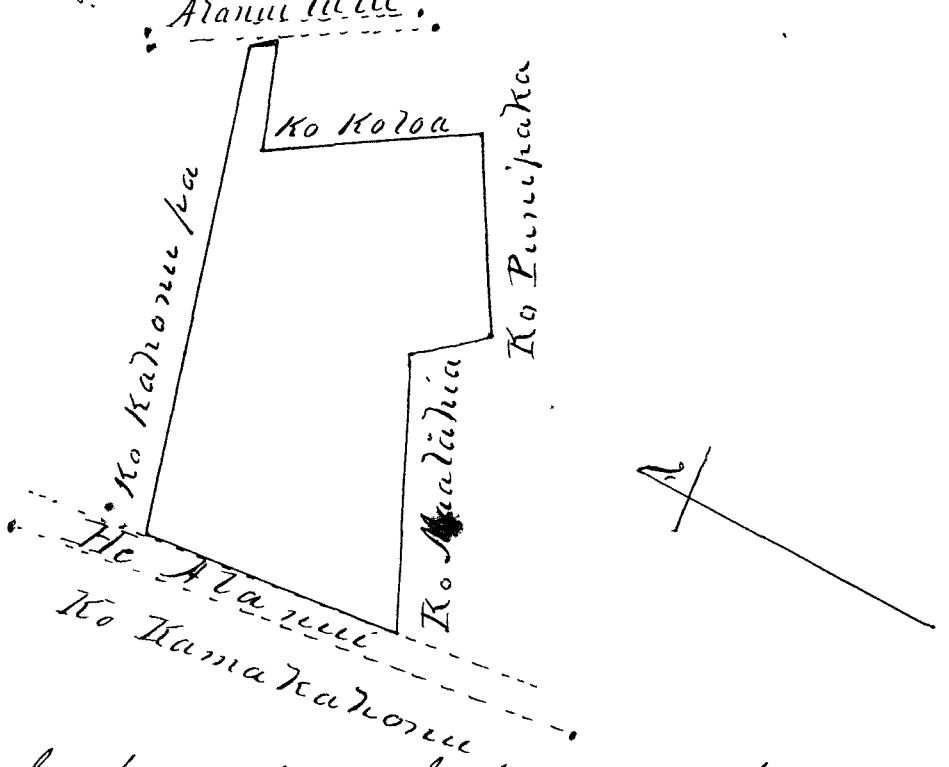
Helu 270 Maui

Ua koi mai nei no koi Kuia no Kona wahi e noho nei ma Honolulu nei, he Kuleana Kahiko no i Ka wa e noho ana o Poki ma Kuia Aupuni Ka noho ana a hiki mai nei i Kuia wa. A Ko makou nana ana, ua akaka nona no Kuia wahi ana e koi mai nei. Penei nae na Palena.

Anaia e George Richardson

Komakaia ke ana ana ma ke kihi Komohana Kona o Kuia wahi, a holo aku la Ka aoao mua A-Kau 6° Komohana 1 Kaulahao 27 9/12 Kapuai, e pili ana ia aoao i Kahi Alanui liilii mawaena o Kuia pa, a me ko Kamakahoni, hiki i ko Kahoni pahale; alaila huli Akau 72° 30' Hikina

2 Kaulahao 42 3/12 Kapuai, e pili ana i ko Kahonu, a hiki i Kahi Alanui liilii, alaila huli Hema 33° 15' Hikina 7 11/12 Kapuai, e pili ana i Kahi Alanui ololi, hiki i ka pa o Koloa; alaila huli Hema 69° Komohana 33 Kapuai, huli Hema 31 30' Hikina 1 Kaulahao 11 11/12 Kapuai, e pili ana kuia mau awao i ko Koloa, a hiki i ko Punipaka pahale, huli Hema 57° 15' Komohana 1 Kaulahao 5 3/12 Kapuai, e pili ana i ko Punipaka pahale, a hiki i ko Maalahia pahale, alaila huli Akau 39° Komohana 26 5/12 Kapuai, huli a holo hou i ke kihi i hoomaka'i ke ana ana Hema 63° Komohana 1 Kaulahao 32 4/12 Kapuai e pili ana kuia mau awao i ko Maalahia pahale. Eia ka ili. 404 Anana, 32 Kapuai 5 Kuea



Eia hoi ka makou e hoike nei no ka aie, no ka mea he kuleana hoi kona malalo o ke one Alodio. Ina aku mai oia i ko ke Aupuni hapaha, alaila ua kupono ia ia ka palapala Sila Nui Ano Alodio

Pono nae ia ia ke aku mai no ka hookolokolo a me ka hoohalo ana i ka olelo penei.

No ka nui a me ke pai ana i ka olelo hoolaha ma ka Nupepa.

No ke kope ana i na olelo Koina No ka palapala kii

Ehana i kela a i ao

			$
		1	
Ao.	3	1	50
			50
		3	

Mai Kela uuu mai

			$	¢
No Ka hana ana i Ka la 27 Sept 1847			1	
No Ke Kope ana i Ka olelo a na Wahine	Ao:	2	1	50
No Ke ana ana i Ka aina. 9 Iune 1848			2	50
No Ke Kope o Ke ana ana				50
No Ka hoohalo ana i Ka olelo			2	50
			11.	00

William L. Lee
Konohiki

Kate Kaulila
13 October 1848

J. Kuhiula
S. M. K. Kamakau
J. Kamauli

Helu 228 Kalaiheana

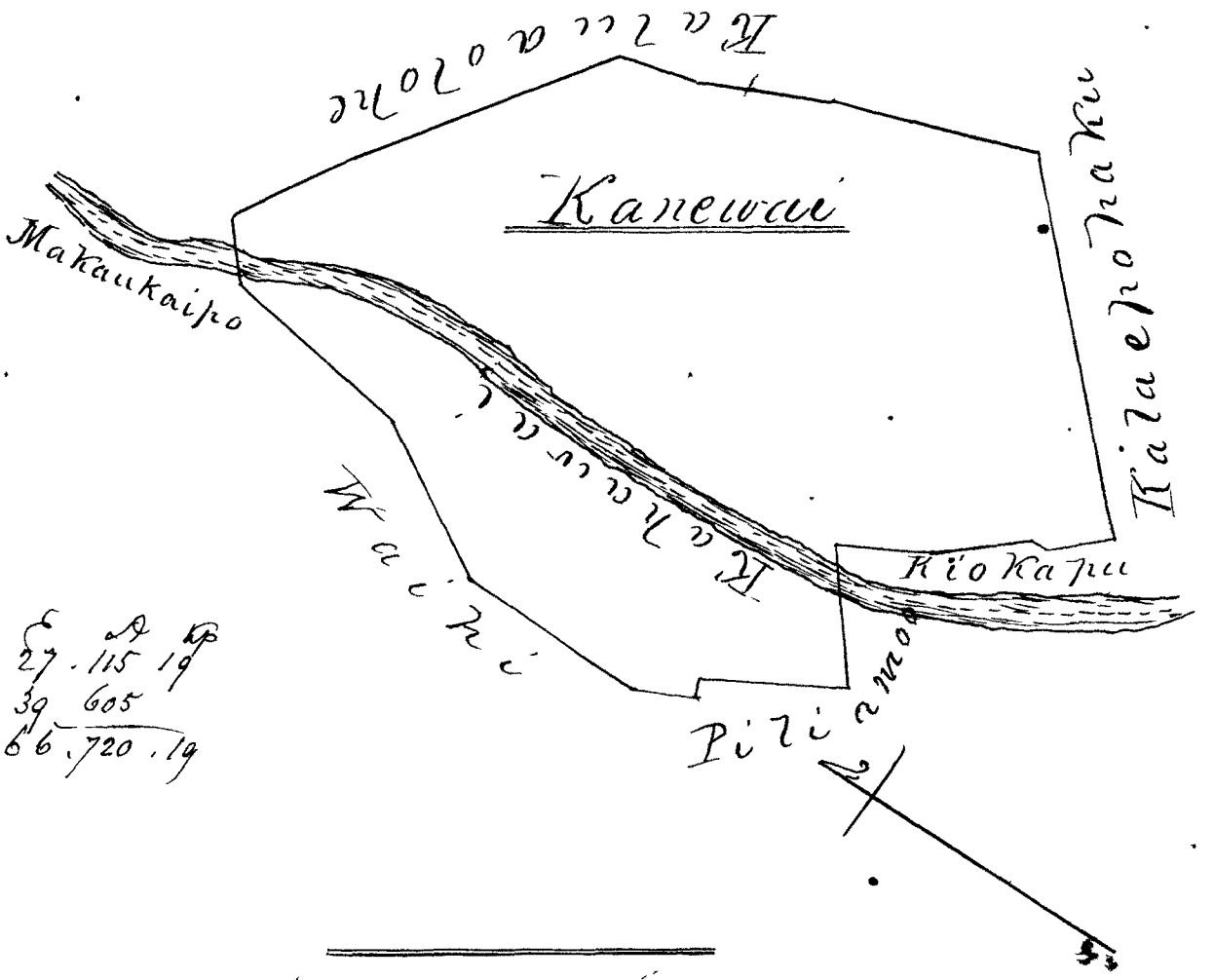
O kuia kuleana aina aia ma Waikiki, ua hoopaa-pa aia na palena o kuia Aina, aka; ua 'Kaka mai la ma Ka wa o Kamehameha I. i haawi ai i na aina i Kona poe Alii makepe iho o Ke Kauna ma Kuuanu, noho o Keaumoku ma Kuia aina, aole i ano e ae Ke palena o Ka aina. Ai Ka pelelau nei haawi o Keaumoku i na aina nei ia Kalaiheana, a ua noho Konohiki no oia ma Kuia aina, a hiki mai nei i kuia manawa, he mui wale na pauku o kuia aina. ua pau nae i Ke komo iloko o Manoa Ka mui. 3 pauku aina i koe mawaho. Ai Ka wa nae o Ka Mahele aina ana iho nei, ua lilo kuia aina ma Ke V. Kamamalu mahele, e like me Ka lilo ana o Ke Kaahumanu I mau aina o Kamehameha I mai, ua hoohiloia oia ia Kinau.

Nolaila ua 'Kaka o Kalaiheana ka mea no ho ma ua aina ka malalo o V. K. Kaahumanu nui. Penei nae na Palena.

Palapala 1. Ke Kii o ka aina o Kaluheana o Kaneowai
Ka. aina, aia Ma Waikiki Mokupuni Oahu
Na ia e John Richardson :

Ehoomaka ana i ke ana ana ma ka pohaku e pili
ana i ka pa puaa i Koailinaia a holo aku la ka
aoao mua i ka Hema 27° 30' Hikina 4 Kaulahao, e
pili ana ia aoao i ka aina i Kapaia o Piliamoo,
huli Akau 52° Hikina 3 Kaulahao 62 Kapuai, e pili ana
no i Piliamoo, huli a holo aku la a ae ma Kela aoao
o Ke Kahawai i ka Hema 29° Hikina 2 Kaulahao 45 1/2
Kapuai, huli Hema 39° Hikina 2 Kaulahao 41 1/2 Ka-
puai, e pili ana ia aoao i ka aina e Ka aina i Ka-
paia o Kiokapu, huli Hema 5° 45' Hikina 27 Kapuai,
e pili ana no i Kiokapu, huli Hema 40° Hikina 1
Kaulahao 61 Kapuai e pili ana no i Kiokapu, alaila
huli a holo mawaena o Kela aina, a me Ka aina i
Kapaia o Kalaepohaku i ka Akau 46° 30' Hikina 10
Kaulahao 53 Kapuai a hiki malalo mai o Ka pali,
alaila huli i ka Akau 17° 45' Komohana 5 Kaulahao
40 3/12 Kapuai, huli Akau 24° 30' Komohana 3 Kaulahao
36 1/12 Kapuai e holo ana mawaena o ka aina i Kapa-
ia o Kaluaoloke, a me Kela aina, huli Akau 15 Ko-
mohana. 2 Kaulahao 31 Kapuai, huli Akau 54° 15' Komo
hana 7 Kaulahao 16 1/12 Kapuai, huli Akau 76° 30' Komo-
hana 6 Kaulahao 62 Kapuai, a hiki i ka lihi Kahawai,
huli a holo aku malunia o Ke Kahawai i ka Hema
48° 15' Komohana 1 Kaulahao 46 Kapuai, e pili ana ia
aoao i ka aina i Kapaia o Makaukaipo, huli Hema
11° 30' Komohana 5 Kaulahao 46 Kapuai e pili ana
i ka aina i Kapaia o Waiki, huli Hema 32° Komohana
11 Kaulahao 46 Kapuai, huli Hema 2° 30' Komohana
5 Kaulahao 22 1/12 Kapuai, huli Hema 2° Hikina
1 Kaulahao 51 1/12 Kapuai e pili ana i ka aina i Kapaia
o Piliamoo, alaila huli i Kahu i hoomaka i ke ana
ana i ka Akau 75° Hikina 3 Kapuai. Eia hoi ka

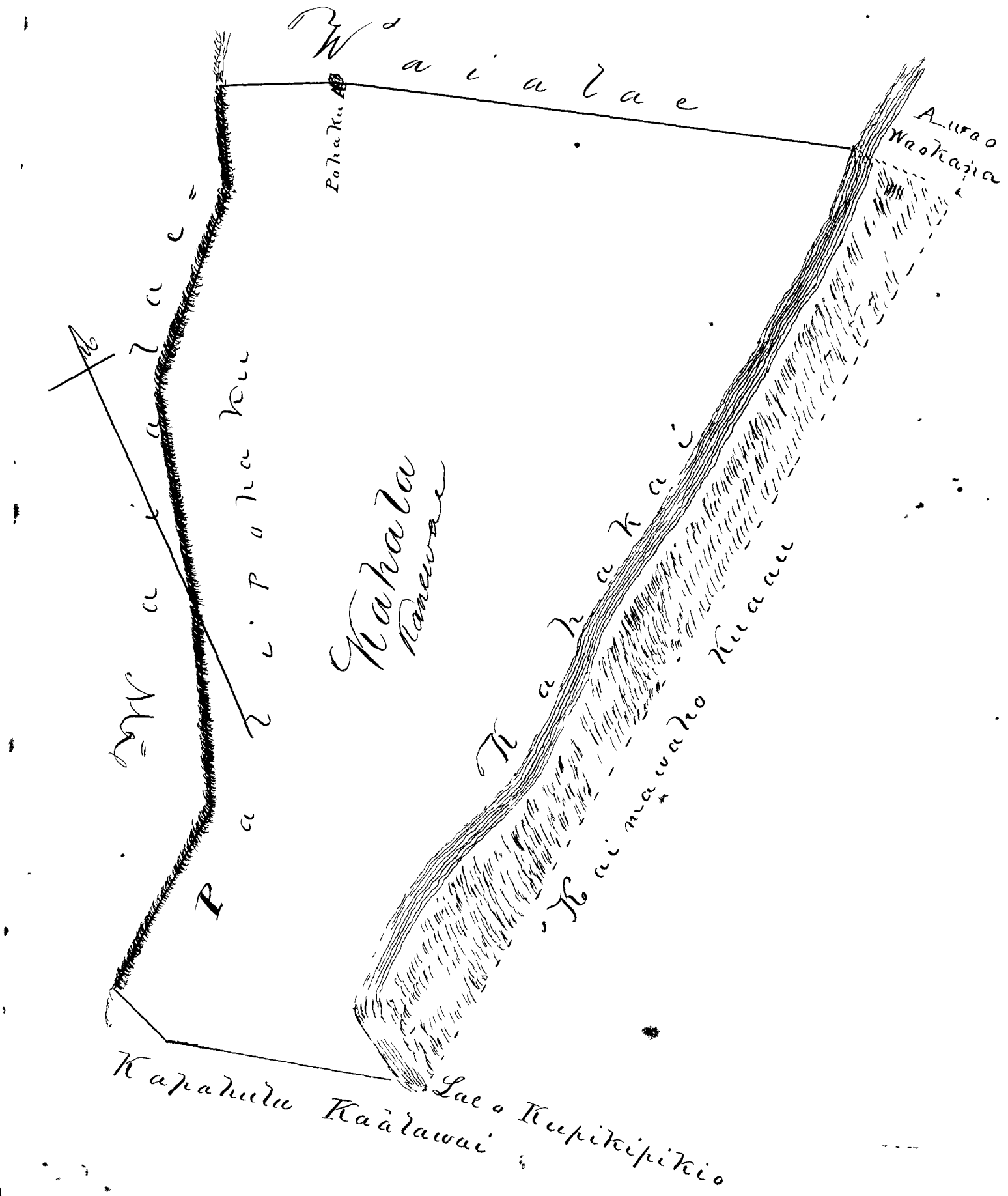
ili o Keia aina. 27 Ekr. 115 Anana 19 Kapuai 3 Kuia.



Pauku Aina 2 o Kanewai, Kahala Ka inoa.

E hoomaka ana i Ke ana ana ma ka laeo Kupikipikio e kokoke ana i Kahakai kahi i hoomaka ai, e pili ana hoi me Kaalawai, oia hoi ka palena ma ke Komohana o Keia aina, a holo aku la ka aoao mua i Ka Akau 58° 30' Komohana 14 1/2 Kaulahao, o Kaalawai, a me Kapahulu na aina e pili mai ana ma ia aoao, huli i Ka Akau 23° 30' Komohana 4 Kaulahao 49 Kapuai, a hiki i Ke kula o Waialae, holo aku la no ma Ka lihi pali pohaku, e pili ana no me Ke kula o Waialae, penei, i Ka Akau 55° Hikina 6 Kaulahao 39 Kapuai, huli Akau 44° 30' Hikina 6 1/2 Kaulahao, huli i Ka Akau

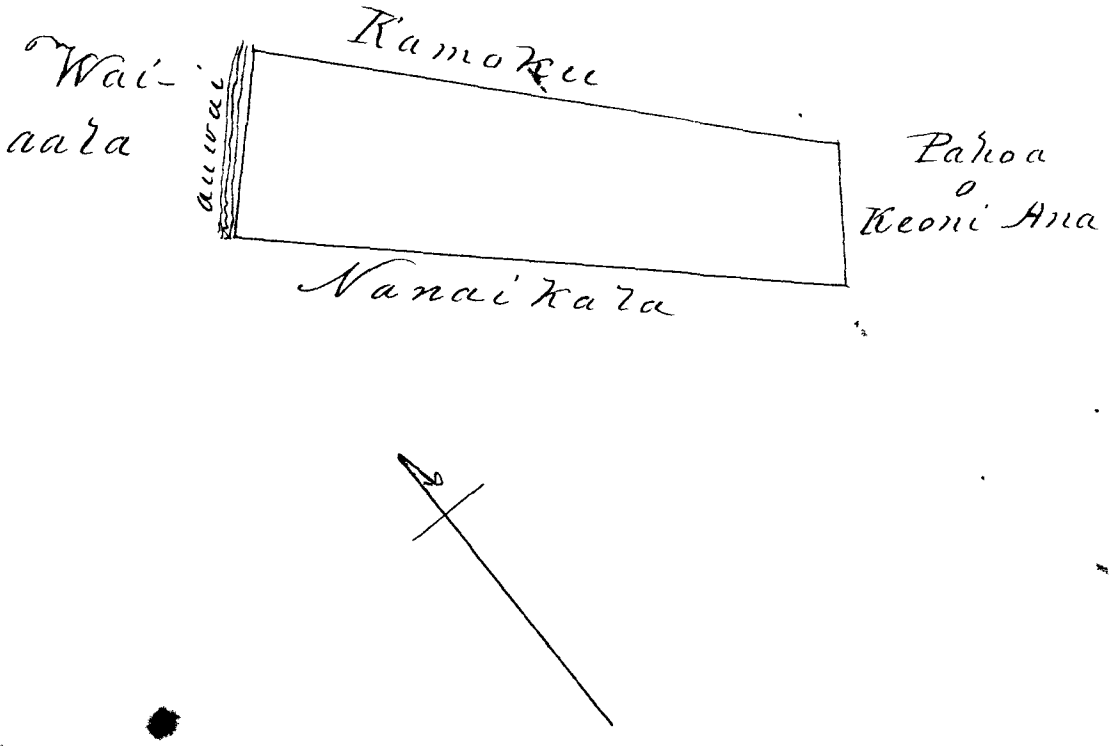
14° Hikina 2 Kaulahao 11 1/2 Kapuai, huli i Ka Akau 2° 30 Hi-
{Huli Akau 11° Hikina, 14 Kaulahao. 29 Kapuai}
kina 10 Kaulahao 16 Kapuai, huli i Ka Akau 39° 30 Hi-
kina 13/2 Kaulahao, huli i Ka Akau 17° 30' Hikina 6 Kau-
lahao 36/2 Kapuai, hiki i Ka aoao mauka, alaila huli
i Ka Hema 68° 30' Hikina 7 Kaulahao 49 Kapuai, a hiki
i Ka pohaku nui e ku ana ma Ke Kula i hoailonaia
(A) a malaila aku i Ka Hema 51° Hikina 33 Kaulahao
13 Kapuai, hiki ma Kahakai ma Ke awa hoi i Kapaia
o Waikana oia Ka palena ma Kahakai e pili ana
i Waialae., a ma Keia palena no hoi, nana i Ka lapa
o (E) a i Ka Akau 2° Hikina, a ma Kuia palena no
hoi, nana i Ka holo ana o Ka Mokuna mawaena o
Ke Kai o Kuia aina, a me Ke Kai o Waialae i Ka Hema
40° Hikina 6/2 paha Kaulahao, hiki i Kahi e poi
ai Ka nalu o Ke Kai ma Kuaau. Eia hoi Ka
nui o Ka ili o Kuia aina mauka a hiki i Kahakai.
173 Eka, 54 Anana 5 Kuea. Eia hoi Ka nui o Ka ili
o Ke Kai o Kuia aina, mai Kahakai, a hiki i Kuaau.
39/2 Eka. Aole oia mau ao ua pololei loa Keia ana
ana o Ke Kai. Aka; ua maopopo no na Mokuna
o Kuia Kai, Oia lae o Kupikipikio Ka Mokuna e pili
ana i Kaalaiwai, a o Ke awa hoi o Waikana Ka
Mokuna e pili ana i Waialae, a o Kuaau no hoi Ka
Mokuna o akai mai.


Waialae
Aurao
Waokaaja
Polaku
Kahalau
Kaapahulu Kaalawai
Lae o Kupikipikio

Pauku Aina 3. Pahoa Ka inoa

Hilo R.D.

E hoomaka ana i ke ana ana i kuia aina ma ke kihi Komohana Akau, a holo aku la ka aoao mua i ka Hema 47° 30' Hikina 6 Kaulahao 31 Kapuai, oia ka aoao makai o kuia aina, e pili ana hoi i Nanaikaala, a hiki i ka aina o Keoni Ana o Pahoa ka inoa, huli i ka Akau 35° Hikina 1 Kaulahao 38½ Kapuai, a hiki i ka aina i Kapaia o Kamoku, alaila huli i Ka Akau 44° Komohana 6 Kaulahao 22½ Kapuai, oia ka aoao mauka o kuia aina, a me Ka aina i Kapaia o Waiaala, alaila huli, alaila huli i Kahi i hoomaka ai ke ana ana i Ka Hema 41° Komohana, 1 Kaulahao 61½ Kapuai. Eia hoi Ka ili o kuia aina. 1 Eka 137½ Anana ʒ Iuea.



O kuia mau aina hoi ka makou e hookoo nei no Kalukeana ka noho malalo o V Kamamalu, he kuleana nui hoi ko lana malalo o ke ano Alodio. Ina aku mai lana i ko ke Aupuni kapakolu, alaila na kupono ia lana ka palapala Sila Nui ano Alodio. Pono no hoi ia ia ke aku mai no ka hookolokolo a me ka hoohalo ana i ka olelo hencei.

No Ka oumi a me ke pai ana i ka olelo
hoolaha ma Ka Nupepa.
No Ke Kope ana i na olelo Koina
No Ka palapala Kii
No Ka hana ana i Ka la
No Ke Kope ana i Ka olelo a na hoike
No Ke ana ana i Ka aina
No Ke Kope o ke ana ana
No Ka hooholo ana i Ka olelo

Dr

included in one account rendered.

Helu 228 Kalaiheana

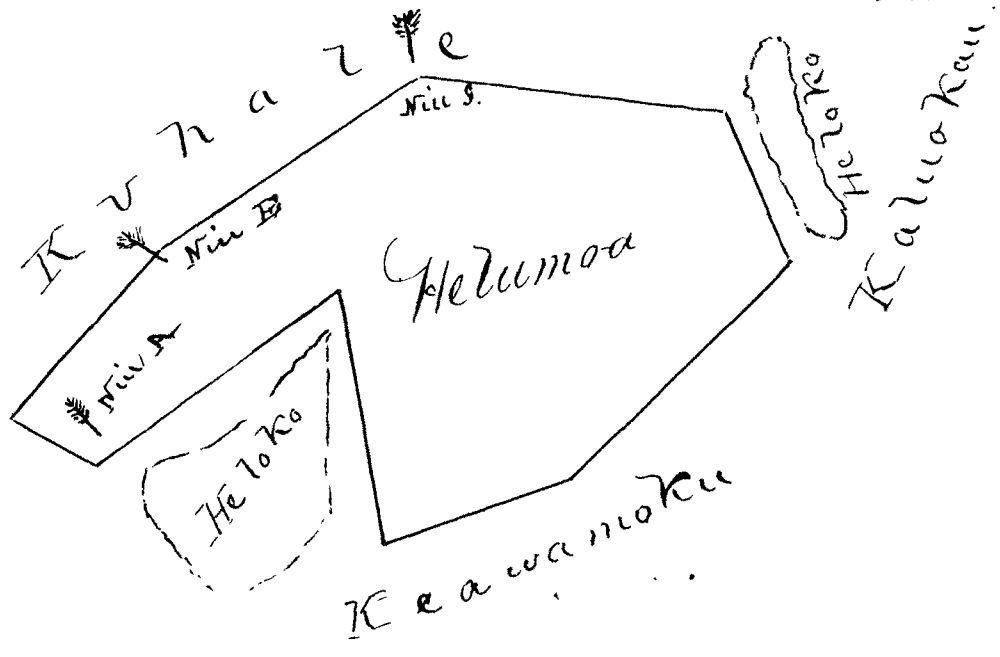
Waiuku
Kahakai

Ke kuleana kia ua hoopaapaa nui ia. Aka, i ka makou nana ana he kuleana kahiko loa mai a Kamehameha I. a mai a Kamehameha II mai, a mai ka wa o Kaahumanu I, a me Kaahumanu 2. a pela no a hiki mai i kela wa.

Nolaila ua maopopo ia makou no Kalaiheana kia kuleana.

Penei na Palena. Anaia John Richardson Ehoomaka ana i Ke ana ana ma Ke kihi Homohana Akau o kela aina, ma Ka pahu hoi e ku ana makai iho o Ka auwi i hoailonaia (A) mai ia wahi mai a hiki ia pahu Aema 73° Komohana 11 3/12 Kapuai; a holo aku Ka aoao mua i Ka Akau 2° Komohana 1 Kaulahao 37 Kapuai o Keawamoku ka aina e pili mai ana ia aoao, a hiki i kekahi pahu e ae, a malaila aku i Ka Aema 80° Hikina 3 Kaulahao 43 7/12 Kapuai a hiki i ka

pahu e ku ana 6 Kapuai mauka iho o ka niu i ka ilonaia (E), a malaila aku i ka Hema 65° 15' Hikina 5 Kaulahao, a hiki i ka pahu e ku ana 12 1/2 Kapuai, makai iho o ka niu e hoailonaia (D) no Mr. Kekuanaoa ia niu, a malaila aku i ka Hema 41° 45' Hikina 4 Kaulahao 61 1/2 Kapuai, a hiki i ka pahu e ku ana 12 1/2 Kapuai maluna mai o Kahi loko, a malaila aku i ka Hema 36° 30' Komohana 2 Kaulahao 39 Kapuai e pili ana ia awa i ka aina i Kapaia o Kaluaokau, a hiki i ka pahu makai iho o Kaihale a malaila aku i ka Akau 76° 15' Komohana 4 Kaulahao 60 Kapuai, a hiki i kekahi pahu e ku ana ma ka lihi one, a malaila aku i ka Akau 53° Komohana 3 Kaulahao 8 7/12 Kapuai e holo ana ma ka awa ma kai o Kahi kale o Ku, a hiki i ka aina i Kapaia o Keawamoku, a malaila aku i ka Akau 48° 15' Hikina 4 Kaulahao 17 Kapuai a hiki i ka pahu ma ka awa mauka o Kahi loko, a malaila aku huli i kahi i komoka i ke ana ana e holo ana ma ka awa mauka o kahi loko i ka Akau 42° 45' Komohana 5 Kaulahao 50 Kapuai Eia hoi ke mui o ka ili o kuia aina. 4 Oka, 1131 Anana 24 Kapuai



Oia ka makou e hoiho nei no Kaluheana, he kuleana nui kona malalo o ke ano Abodio. Ina uku mai oia i ko ke Aupuni hapaha, alaila na kupono ia ia ka palapala Sila Nui ano Abodio. Pono no ia ia ke uku mai no ka hoikoloKolo, a me ka hoohoio ana i ka olelo.

			$	¢
No ka oumi, a me ke pai ana i ka olelo hoolaha ma ka Nupepa				1
No ke Kope ana i na olelo Komia	Aoao	2		1
No ka palapala Kii				50
No ka hana ana i ka la 30 Aug. 1847				1
No ke Kope ana i na olelo a na hoike	aoao	6		1. 50
No ke ana ana i ka aina 4 Sept. 1847.		4		10
No ke Kope o ke ana ana	Aoao	16		8
No ka hoohoio ana i ka olelo		2		5
			$	31

Keele Kaulula William L. Lee
Honolulu
13 Octobea 1848 D. Smith
L. M. Kamakau
a. D. Kaauwai

Helu 210 Mainae 1

O Keia wahi a Mainae e hoi mai nei nona, he wahi i noho kahiko ia e kona mau kupuna mai a Kamehameha I mai, a make lana ili mai no i ko Mainae makuakane o Kaiawa, a ua noho no oia ma Keia wahi mai a Kamehameha 2 mai, a pela no ka noho ana o ua Mainae la ma Keia wahi, a make o Kaiawa ili mai no ia wahi ia Mainae a hiki i Keia wa. Ua hoopaapaa nui ia Keia wahi.

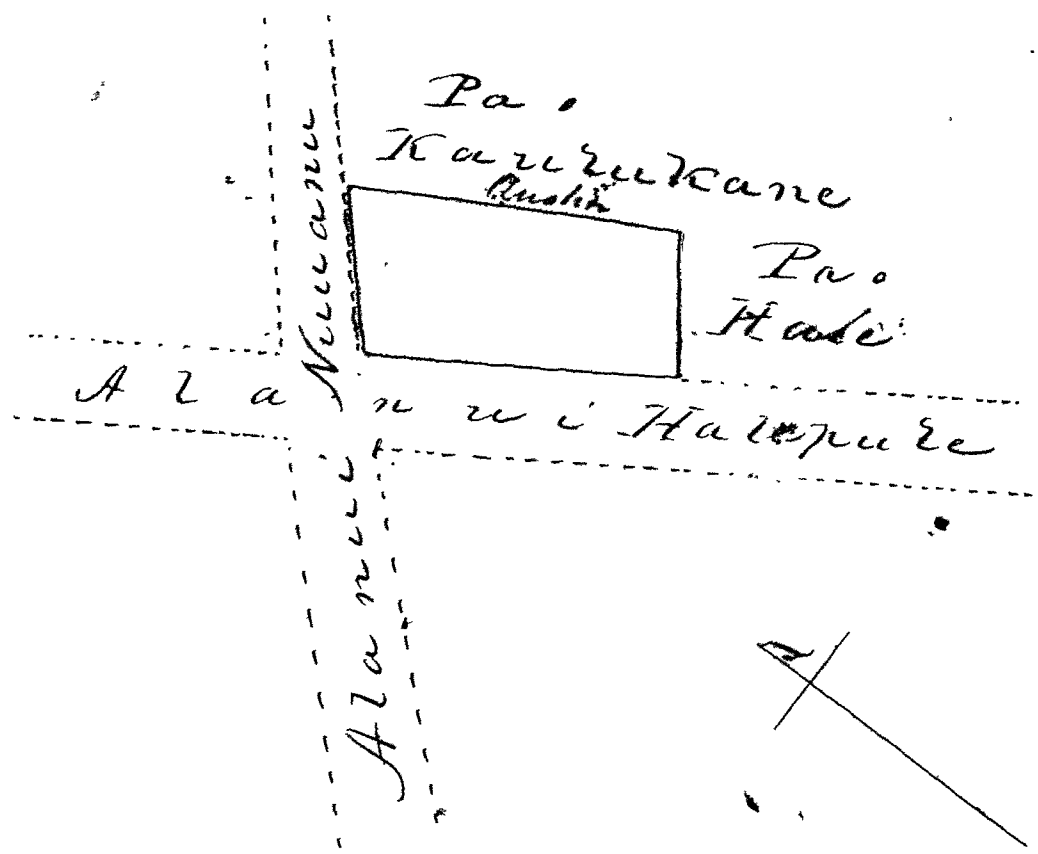
Aka, ua maopopo Keia wahi no Mainae no.

Penei nae na Palena.

Anaia e Johno Richardson

E hoomaka ana i ke ana ana, ma ka aoao ma-
uka o ke Alanui Halepule, ma ka aoao hema koi
o ke Alanui Nuuanu; a moe aku ka aoao mua
i ka Akau 50° Hikina 28 Kapuai 5 iniha, a hiki i
ke Kaulukane ma waho, a malaila aku i ka
Hema 31° Hikina 58 Kapuai 7 iniha, oia hoi ka
aoao mauka o Kuia aina, a hiki i ka pa o Hale,
a malaila aku i ka Hema 53° 30' Komohana
24 Kapuai 3 iniha, a hiki i ka aoao mauka o
ke Alanui Halepule, e pili ana no koi i ka pa
o Hale, a malaila aku i ka Akau 35° 30'
Komohana 56 Kapuai 9 iniha hiki hou i kahi
i hoomaka'i ke ana ana. O ka pa lepo maka
aoao makai o kuia aina, a me ka pa o ka aoao
e pili ana i ke Alanui Nuuanu, na Romo pu
ia iloko o kuia ana ana.

Eia hoi ka ili o kuia aina 42 Anana 30 Kapuai.



O Keia wahi ka makou e hookoneu no Mainae, he Kuleana nui kona malalo o ke ano Aloha, a-Ka, ina uku mai oia i ko ke Aupuni hapaha, alaila na Kupono ia ia ka palapala Sila Kui ana Aloha.

Pono nae ia ia ke uku mai no ka hookolokolo, a me ka hoohola ana i ka olelo penei:

		$	
No Ka oumi, a me Ke pai ana i ka olelo hoolaha ma ka Nupepa,		1	
No Ke Kope ana i na olelo Koina	Aoao 1		50
No Ka palapala Kii			50
No Ka kana ana 4 Aug. 1847 a Ka la 27 Aug. 1847		1	
No Ke Kope ana i Ka olelo a na hoike 3 aoao equally divideen with 6d		2	25
No Ke ana ana i Ka aina 2 Sepatemaba 1847		2	50
No Ke Kope o Ke ana ana	Aoao 3	1	50
No Ka hookolo ana i Ka olelo		2	50

Kate Kauluka William L Lee
13 Octobea 1848 H Smith. Lt Governor
Honolulu
Oahu

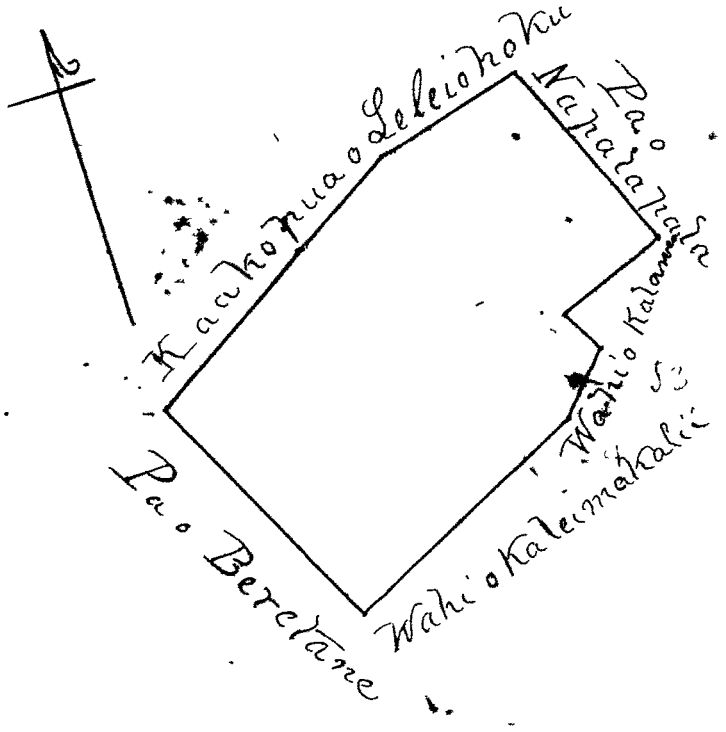
Helu 556 Makalawelawe

Ua koi mai no hoi Keia no Kona pakaha e noho nei aia ma Honolulu, na loaa ia ia Keia wahi mamua o ke Kau ana o na Kanawai i Ka M. A. 1828, ke noho nei no oia malaila a hiki i Keia wa. Penei nae na Palena.

Anaia George Richardson

Ke kii o Ka pakaha o Makalawelawe ma Honolulu. Koomakaia ke ana ana o Keia pa ma ke Kihi Komohana, e pili ana i Ka aKopua 13 Kapuai 10 iniha hoi, mai Ka pa mai o

Beretane, a holo aku la ka aoao nuu i ka Hema 29° Hikina 3 Kaulahao 9 Kapuai 3 iniha, hiki i ka hi o Kalaimakalii, alaila huli a holo mawaena oia wahi, a me kela wahi Akau 63° 30' Hikina 2 Kaulahao 62 Kapuai, hiki i kahi o Kalama, alaila, huli a holo mawaena oia wahi a me kela Akau 40° Hikina 52 Kapuai 11 iniha, Huli Akau 25° 45' Komohana 37 Kapuai 7 iniha. Huli Akau 68° 15' Hikina 1 Kaulahao 21 1/2 Kapuai, hiki i kahi o Napalapala, alaila, holo mawaena oia wahi, a me kela Akau 22° 45' Komohana 2 Kaulahao 23 1/2 Kapuai hiki i Kaakopua, alaila huli a holo mawaena oia aina, a me kela Hema 73° 45 Komohana 1 Kaulahao 43 1/2 Kapuai, huli Hema 61° Komohana 1 Kaulahao 21 1/2 Kapuai, huli hou i kahi i hoomaka i Hema 58° 45' Komohana 2 Kaulahao 34 1/2 Kapuai. e pili ana no o Kaakopua ma ia aoao. Eia ka ili ma loko o kela aina. 1 Ela, 730 Anana 16 Kapuai.



Oia hoi ka makou e hooko nei nona, he Kuleana kona malalo o ke ano Alodio. Ina aku mai oia i ko ke Aupuni hapaha, alaila ua Kupono ia ia ka palapala Sila e Nui ano Alodio.

376

Pono nae ia ia ke uku mai no ka hookolokolo, a me ka hoohola ana i ka olelo penei.

		Dr.	
No ka nui a me ke pai ana i ka olelo hoolaha ma ka Nupepa.	$	1	
No ke Kope ana i na olelo hoina 1 aoao			50
No ka palapala Kii			50
No ka hana ana i ka la 12 Nov. 1847		1	
No ke Kope ana i ka olelo a na hoike 2 aoao		1	50
No ke ana ana i ka aina 13 Nov. 1847		2	50
No ke Kope o ke ana ana	aoao 3	1	50
No ka hoohola ana i ka olelo		2	50
		$ 11	

Kaate Kaulelu William L. Lee
Paaoli
13 Oct. 1848 R. Smith Luhiki ma ka ana ka
Uh. Kaunani

Pai ia be in Komakela

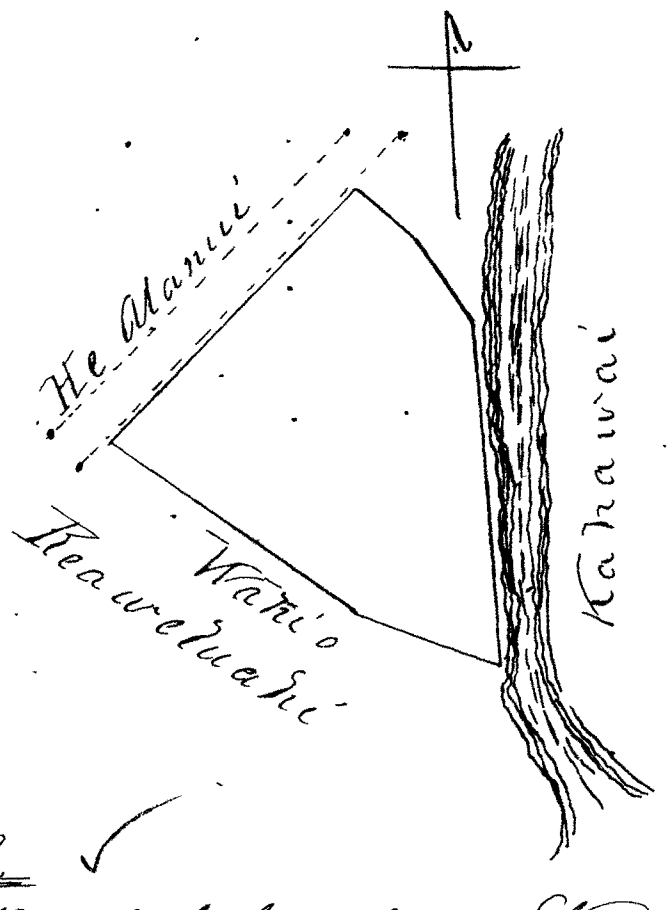
Helu 551 Kaleimakalii 1 Kon. aina

Ua koi mai hoi oia nei no Kona wahi ma Honolulu, ua loaa no Keia wahi ia ia mamua o ke Kau ana o na Kanawai i Ka M. S. 1823, aia no ia ia Keia wahi a hiki i Keia manawa. Nolaila ua maopopo nona no Keia wahi ana e koi mai nei. Penei nae na Palena.

Anaia e George Richardson

Ke Kii o ka pahale o Kaleimakalii, ma Honolulu, aia ma Ka aoao Akau o ke Kahawai, Komakai ke ana ana i Keia pahale ma ke Kihi Hema, e pili ana i ke Kahawai. A holo aku la Ka aoao mua Akau 64° Komohana 52 Kapuai 10 iniha, no Keawelualii kahi e pili ana ma ia aoao. Hui Akau 49° 15' Komohana 1 Kaulahao 38 Kapuai 3 iniha hiki i kahi Alanui, alaila hui a holo no Ka aoao oia wahi Alanui. Akau 48° Kikina 1 Kaulahao 55 Kapuai 5 iniha. Hui Hema 44° 45'

Hikina 27 Kapuai, Huli Hema 29° 30 Hikina 34 Kapua i, 4 iniha, hiki i Kahawai, alaila holo ma Ka lihi Kahawai i Ka Hema pono, a hiki i Kahi i hoomaka ai i Kaulahao 63 Kapuai, 4 iniha. Pia Ka ili o Keia pahale, 399 Anana, 23 Kapuai.



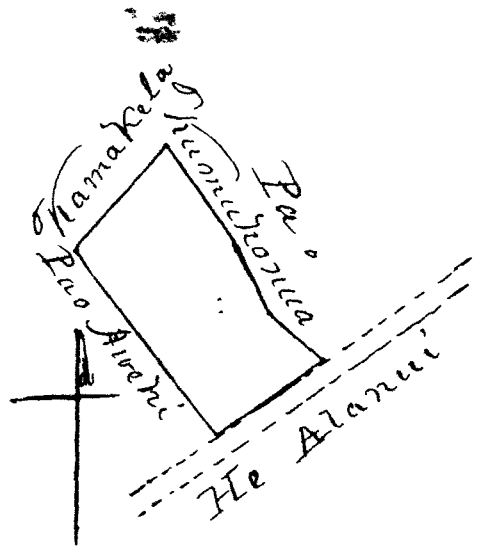
399
23
376 30

Apana 2.

Ke Kii o Kekahi pahale o Kalimakahii, aia no ma Ka aoao Akau o Ke Kahawai.

Ua kokoke no me Kela pa mua, aia Keia wahi ma Ka Akau o Kekahi wahi alanui, a ma Ka Hikina o Ka pa o Awehi, a ma Ka Hema hoi o Kamakela, a ma Ke Komohana o Ka pa o Kumuhonua, Hoomaka-ia Ke ana ana ma Ke Kihi Hema e pili ana i Ka hi Alanui, ma Ke Kihi Hikina hoi o Ka pa o Awehi, a holo aku la Ka aoao ona Akau 36° 30' Komoha na i Kaulahao 15 2/12 Kapuai, e pili ana Ka pa o Awehi ma ia aoao, a hiki i Ka aina i Kapaia o Kamakela, alaila huli a holo mawaena oia Aina, a me Keia Akau 40° 30' Hikina 46 2/12 Kapuai hiki i Ka pa o Kumuhonua, alaila huli a holo mawaena oia pa, a me Keia Hema 33° Hikina 42 8/12 Kapuai, huli Hema 28° Hikina 24 5/12 Kapuai, huli Hema 45° 30' Hikina 21 9/12 Kapuai hiki i Kahi Alanui, alaila hu-li a holi ma Ka aoao oia wahi Alanui Hema 55°

Komohana 42 3/12 Kapuai hiki hou i Kahu i hoomaka ai. Eia Ka ili maloko oia pahale, 106 Anana, 7 Kapuai.



O Kua hoi Ka makou e hooko nei no Kaleimakalii, he Kuliana hoi kona malalo o Ke ano Alodio, Aole Ku mai oia i Ko Ke Aupuni hapaha, alaila ua Kupono ia ia Ka palapala Sila e Nei ano Alodio.

Pono oiae ia ia Ke Ku mai no Ka hookolokolo, a me Ka hoohalo ana i Ka olelo penei.

No Ka nuna, a me Ke pai ana i Ka olelo hoolaha ma Ka Nupepa

No Ke Kope ana i na olelo Kauia 3 auao

No Ka palapala Kii.

No Ka hana ana 17 Nov. 1847

No Ke Kope ana i Ka olelo a na hoike 2 auao

No Ke ana ana i Ka aina 17 Nov. 1847

No Ke Kope o Ke ana ana

No Ka hoohalo ana i Ka olelo

			Dr.	
			1	
			1	50
				50
			1	
			1	50
2			5	
auao	2		2	
			2	50
			15	

Kalekauwila
13 Octobet 1848

William L. Lee
Konohiki

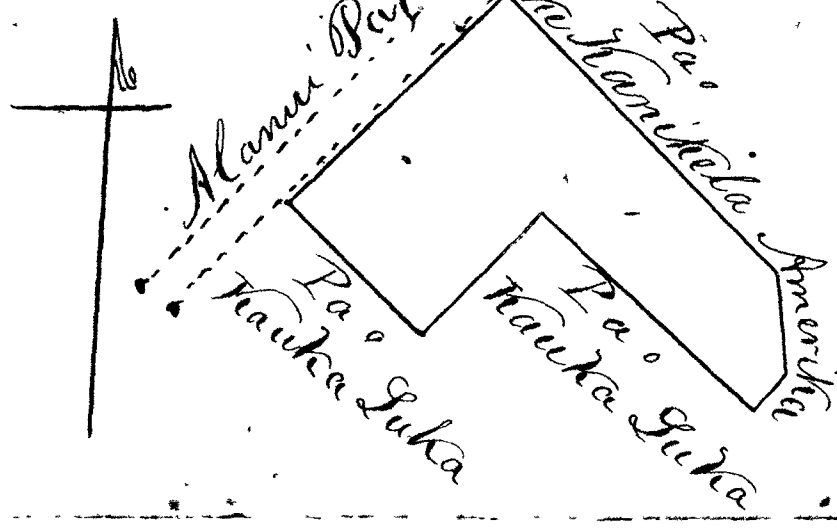
R. Smith Lik. Komakaua
U. Kuaiwai

Aila 611 Leoiki ✓

Ua koi mai oia nei no Kona wahi ma Honolulu, he wahi kuia na loaa ia ia mamua o ke Kau ana o na Kanawai i ka Mo. A. 1832, ua noho oia mailaila mai ma kela wahi, a hiki mai i keia manawa Penei na palena.

Anaia e George Richardson

Ke kii o ka pahale o Leoiki ma ke Kulanakauhale o Honolulu i Oahu. Penei na palena. Akau, Alanui Papu, Hikina ka pa o ke Kanikela Amerika, Hema ka pa o Kauka Luka, Komohana o ka pa no o Kauka Luka. Hoomakaia ke ana ana ma ke kihi Komohana e pili ana ia kihi i ke Alanui Papu, a me ka pa o Kauka Luka, a holo aku la ka anao mua A. 44° Hikina 1 Kaulahao 3 9/12 Kapuai. o ke Alanui papu ke pili ana ma ia anao, a hiki i ka pa o ke Kanikela Amerika, alaila huli a holo mauaena oia pa a me Keia Hema 46° Hikina 2 Kaulahao 4 1/2 Kapuai. huli A. 4° Hikina 35 8/12 Kapuai. hiki i ke Alanui, alaila, huli Hema 40° Komohana 13 2/12 Kapuai, hiki i ka pa o Kauka Luka, alaila, huli A. 46° Komohana 1 Kaulahao 36 4/12 Kapuai. huli Hema 43° Komohana 60 1/2 Kapuai; huli hou i kahi i hoomakaia i ke ana ana. Akau 48° 30' Komohana 1 Kaulahao, o ka pa no o Kauka Luka ke pili ana ma keia mau anao hope a pau. E ia ka ili e uhi ana i keia pahale 305 Anana, 6 Kapuai.



Oia no ka makou e hooko nei no Leviti, he kuleana kona malalo o ke ano Alodio. Ina uku mai oia i ko ke Aupuni hapaha i; alaila ua kupono ia ia ka palapala Sila Nui ano Alodio.

Pono nae ia ia ke uku mai no ka hookolokolo a me ka hoohuloana i ka olelo penei.

		$	
No ka oumi a me ke pai ana i ka olelo hoolaha ana ka Kupapaa		1	
No ke Kope ana i na olelo Kuina 1 aoao			50
No ka palapala Nui			50
No ka hana ana i ka la 22 Nov. 1847		1	
No ke Kope ana i na olelo a na hoike 2 aoao		1	50
No ke ana ana i ka aina 29 Dec. 1847		2	50
No ke Kope o ke ana ana	Aoao 3	1	50
No ka hoohuloana i ka olelo.		2	50
		$ 11	

Kalaeiwahia
13 Octobea 1848

William L. Lee
Iuanedi
J. Smith
Kakauolelo
a Kauikeaouli

Claim N° 272. Joseph Booth. ✓

This is a claim to a house lot in Honolulu, formerly known by the name of "Eagle Tavern".

This place which was originally the property of Kapiki, was leased by him to Joseph Booth, the Claimant, on the 12th day of August A.D. 1840. during the term of his natural life, at a rent of $40 dollars per Year. Kapiki died in the Year 1844, and willed all his property, including the "Eagle tavern", to H.M. Kauikeaouli III, who gave his written Consent on 21st day of August 1844, to the occupation of the "Eagle tavern" by the Claimant, upon the terms prescribed in the Lease from Kapiki. On the

6th day of September following H.M. Kamehameha III & Kekauluohi, then Premier, did by deed bearing date of that day, in Consideration of Certain services rendered by Dr. J. C. B. Rooke, give unto Joseph Booth the Claimant, Certain Lands; among which, is the "Eagle Tavern;" to hold, during his life; And providing that upon the death of the said Joseph Booth, these lands should become the property of Doctor Rooke and his heirs, born within the Kingdom of Hawaii; And further providing that if the said Doctor Rooke shall wish to give away or sell to any person born within the kingdom of Hawaii, and not a subject of any Foreign Country, he shall be at liberty to do so: such person being subject to the laws of the Hawaiian Islands without resistance, and yielding Compliance therewith.

On the same day — namely, 6th day of September A.D. 1844, the aforesaid J. C. B. Rooke, in Consideration of the sum of two hundred dollars expressed in the deed, Conveyed all the right, title and interest in the "Eagle Tavern", and other Lands, which he has acquired by the aforementioned deed of his Majesty, Kamehameha III and Kekauluohi, to the Hawaiian born Children of Joseph Booth, for them and their heirs, to have and to hold forever; but not to sell or transfer the Lands thereon mentioned, to any Foreigner, without the express Consent of the Hawaiian Government, or such authorities as may be by them authorized.

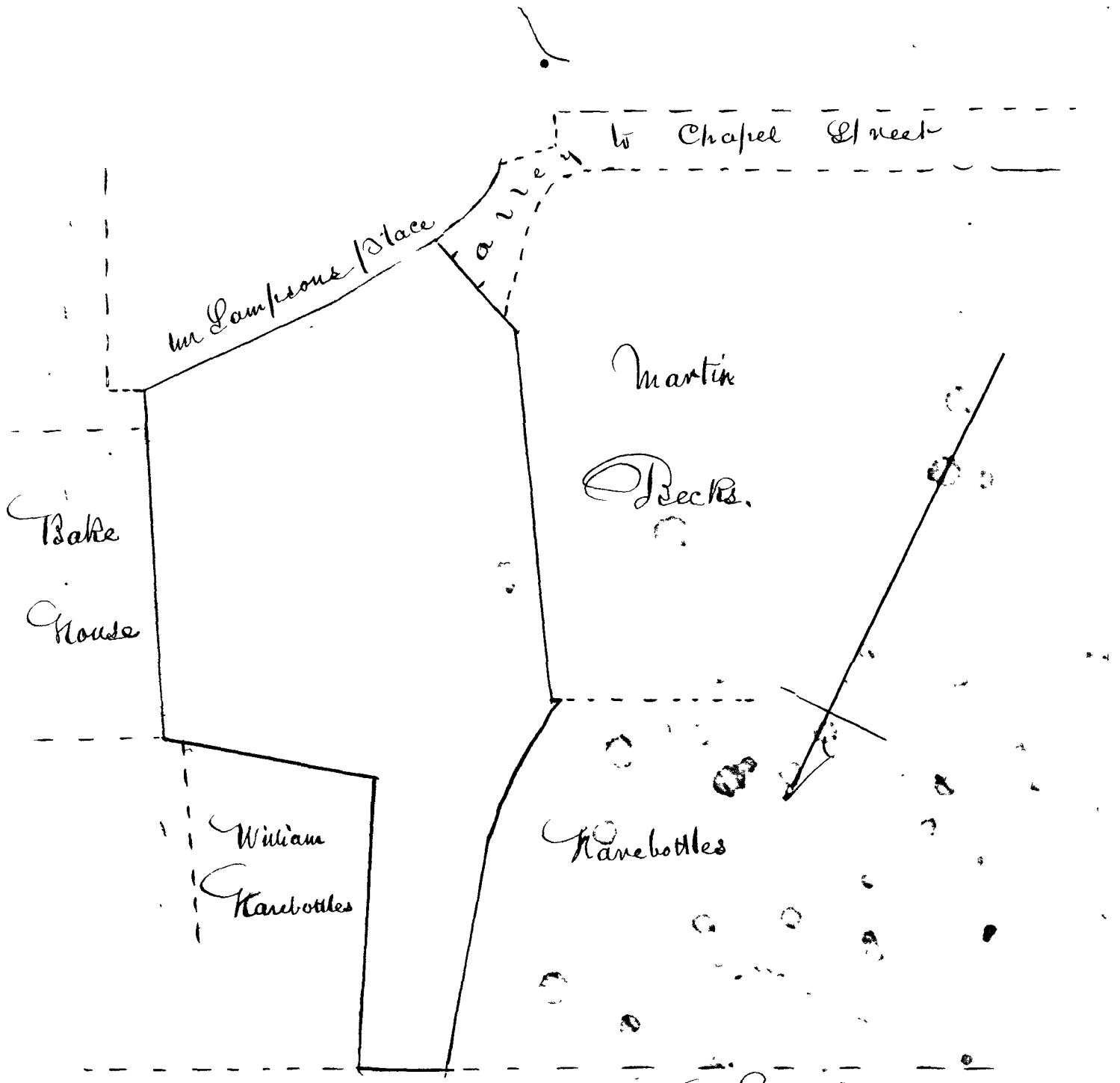
From the above facts, we are of the opinion that the Claimants title is beyond dispute; and we do therefore Award to Joseph Booth the Eagletavern lot; the Correct bounds of which, are defined in the annexed Survey made by J. Metcalf Esq. on 14th November 1846 to have and to hold, to himself during his natural life; and then to go to his Hawaiian born Children, and their heirs; they being hawaiian subjects. to have and to hold for Ever.

There is a counter Claim to this lot filed by James Vowles - namely Claim N.° 260; but said Vowles never having appeared to prosecute his Claim though he has been several times Cited by the Board so to do; We are of the opinion that the Claim of Vowles should no longer stand in the way of this Award.

"Eagle Tavern"

"Commencing at N and W Corner joining on Nuuanu Street - and a lane owned by Wm Harebottle (occupied by Mr Duff & Tredle) and running S. 36.° 30' E. 66 3/12 Ft. along wall (including it) between this lot of Harebottles to S. Corner of Harebottles lot - Thence N. 60 15' E. 50 2/12 Ft. along E. boundary of Harebottles lot - (including wall) and 5 3/12 Ft. beyond to the Bake house lot - Thence S. 44.° E 83 2/12 Ft. along wall (including it) between this and the Bake house lot and to Mr. Sampsons dwelling house lot - Thence S. 23.° 30' W. 48 2/12 Ft. along line between this and Mr. Sampsons lot - to slight angle in wall. Thence S. 19° W 27 8/12 Ft. to alley leading to Chapel St. Thence N. 82° 30' W. 29 Ft. across alley to Corner of Cook house at Martin Becks lot - Then offset to right 16 in: (width of wall) Thence N. 46.° 45' W. 48 2/12 Ft. along line between this and Martin Becks to slight angle in wall. Thence N. 44. W. 38 3/12 Ft. to end of Mr Becks wall. Then 2 8/12 Ft. to P.St. - Thence N. 18° 30' W. 43 7/12 Ft. along line between this lot and another of Wm Harebottles lot - to angle in wall - Thence N. 34.° 30' W. 45 Ft. to Nuuanu St. - Thence N. 50.° E. 21 10/12 Ft. along Nuuanu St. to place of Commencement - including an area of -

November 14. 1846. Quard fathoms 316 - feet 9.



Board of Lands Comm.rs – Joseph Booth Claim.t in N 272 — D.r

To incidental exp.ses of Comm.rs &c		1	
" action of Comm.rs in this Claim on 1.st Oct.r 1847		1	
" draft depos.n of Claim reduced	£1.		50
" Citation			50
" draft testim.y red.d and Engross.d on 1.st Oct.r	£1		75
" Engrossing Copy of 3 deeds a.b.c.	£8	2	
" do – do of Survey by T. Metcalf of this Lot	£5	2	50
" Report of Commissioners on the above Claim this day rendered to Col.l William L. Lee		5	
		15	25
J. H. Smith Engrossing Copy	£		
J. M. Kanwakaus of Awards	£5	2	50
	£	17	75

Kate Kaauwila
October 13.th 1848.

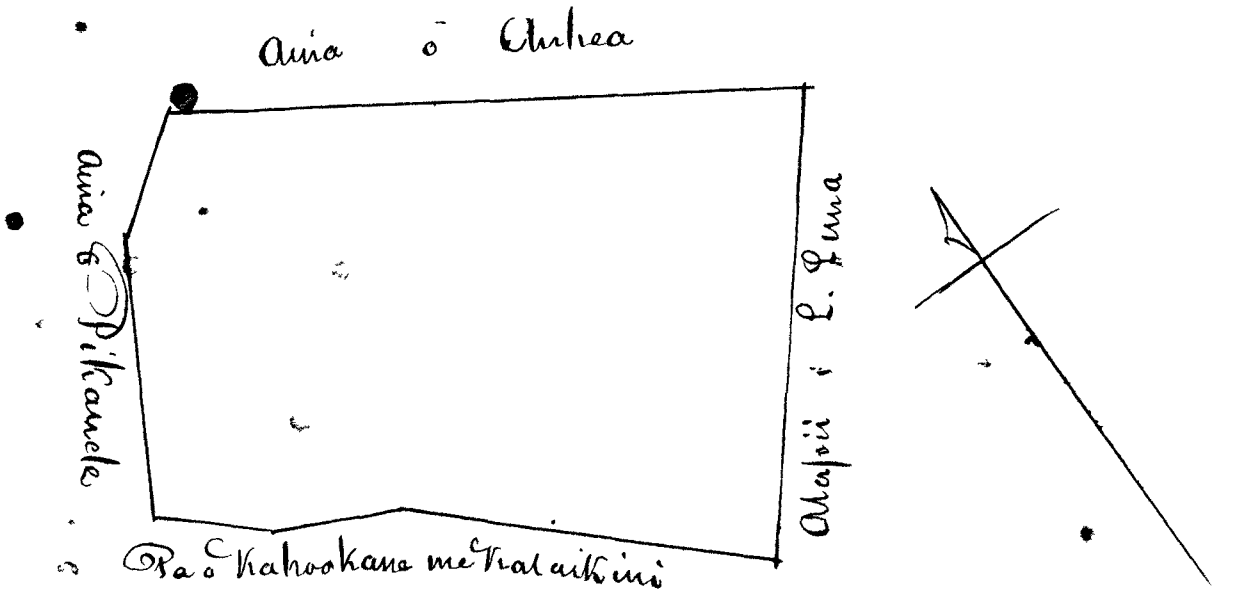
Kaauwila

Claim No 77. Lorrin Andrews.

The Board, after a due and Careful Consideration of the Evidence adduced by the Claimant; and at the desire of Kaahumanu, do in accordance with the wish of the late Premier, Kekauluohi, and in the absence of all Counter Claims, award to the Claimant- Lorrin Andrews- a fee-simple Title in the following described Lands- situated in Lahaina Waena Island of Maui- Hawaiian Islands, and bounded as follows:

Beginning at the S. E. Corner of Kalaikuni's Yard, lying on N. W. Side of the road leading from Lahaina Palo to Lahainaluna, and thence running in a N. E by direction along said Road by a Stone wall 5 Ch. 6/100 of a Ch. to the Fence of M. Kekauluohi- thence in a N. W by direction along said Fence 6 Ch. 7/100 of a Ch.- thence S. W. by along Stone Wall 1 Ch. 38/100 of Ch. to the Lot of Pikanele- thence turning slightly to the Southward along a Stone Wall and Water Course 3 Ch. and 13/100 of Ch. thence turning to S. E along Stone Wall 1 Ch 3/100 of Ch. thence turning slightly to the East by Stone Wall, 1 Ch. and 38/100 of Ch. thence slightly turning to W. running along Stone Wall, 3 Ch. and 69/100 of Ch. to the place of beginning—

Containing 3 Acres and 2/100 of an acre or thereabouts-



Board of Comm^rs for Land Claims
Adjudication of Cl. N° 77 Lowrie Andrews &c

To incidentals exp^s of Comm^n	1	
" Action of Board in this Cl. on 8th September 1846	1	
" Citation		50
" Draft depos^n reduced in Engrossed Copy of lease £6	3	
" Test^y red^d & engrossed on 8 Sept^r £1		75
" Report of Commiss^rs this day rendered on the above Claim 10th October. William L. Lee	5	
	11	25

Honolulu
October 13 1848

Lowrie
J. H. Smith
L. McKeandless
G. Kaauwai

Claim N° 274. Joseph Booth.

This is a claim for 3 fish ponds, and a portion of plain land in Koula, Honolulu, Oahu.

This land is a portion of "Kewalo"; or rather a small land belonging to the larger land "Kewalo", and included in the general name of "Kewalo," although it is seperated by a long distance from the main land of that name. This land, as being a portion of "Kewalo", was, in Consideration of Certain Services rendered by Dr. J.C.B. Rooke given unto the Claimant, on the 6th day of September A.D. 1844, to have and to hold, during his life, by his Majesty Kamehameha 3rd in Conjunction with the Premier Ke-kauluohi, upon the express agreement and understanding that upon the death of the Claimant, this and other lands, named in the deed, should then become the Property of Doctor Rooke, and his heirs born within the Kingdom of Hawaii; and that if the said Doctor Rooke shall wish to give away, or sell to any person, born within the Kingdom, and not a Subject of any Foreign

Country, he shall be at liberty to do so: such person living subject to the laws of the Hawaiian Islands, without resistance, and yielding Compliance therewith.

By virtue of the above mentioned deed of his Majesty's made of the 6th of September A.D. 1844. the aforesaid Booth, on the same day, in Consideration of the sum of Two hundred dollars, Conveyed all the right, title and interest in this and certain other lands, which he had acquired by virtue of the aforesaid deed from his Majesty and the Premier Kekauluohi, to the Hawaiian-born Children of Joseph Booth. "for them and their Heirs, to have and to hold for ever; but not to transfer the lands therein mentioned to any foreigner, without the Consent of the Hawaiian Government, or such authorities as may be by them duly authorized.

We are of the opinion, that the Title to this land is a clear one: and we do therefore award to Joseph Booth, the aforesaid Fish Ponds and Plain lands, according to the boundaries set forth in the annexed Survey of J. Metcalf Esq to have and to hold to himself during his natural life; and upon his death, then this land is to descend to his Hawaiian-born Children, and their Heirs: they being Hawaiian subjects - to have and to hold for Ever.

"Joseph Booths lands in Kouka Oahu, belonging to Estate of Kewalo' (on plain towards Waitiki from Honolulu -

Commencing at Stake 6 G. makai of Makai road leading to Waitiki and 22 1/12 G. Mauka of Kainai's - N. E. Corner (as now walled in) and in

line with Naina's E. wall and boundary, and Running S. 22° W. 11 Ch. 50 7/12 Lks. along boundary line between this land, Kauna's and Kamakia's, to stake at S. W Corner of Fish Ponds belonging to this land. Thence S. 78. 15' east 1 Ch. 52 8/12 Lks. along ridge between this & Pehu's Fish ponds. Thence S. 50° E. 43 7/12 Lks. along mauka side of two huts to Boothi large Fish ponds. Thence S. 33° 15' W. 21 3/12 Lks. to Corner of large ponds. Thence S. 42° 30' E. 1 Ch. 58 Lks. along ridge between large pond and Pehu's to angle. Thence S. 7° 30' W. 64 Lks. along ridge between ponds to angle. Thence S. 24° W. 39 7/12 Lks. to Corners of Fish Ponds. Thence S. 66° 30' W. 4 Ch. 8 Lks. (along mauka side of a Fish pond belong to this land outside and on W. of long pond,) Thence S 31° 30' E. 1 Ch. 23 7/12 Lks. to S. W. Corner of this Pond. Thence S. 89° E. 2 Ch. 4 Lks. along ridge back to long pond. Thence S. 21° 30' W. 4 Ch. 35 8/12 Lks. along ridge between long Pond and Pehu's to Corner of another Pond on W. side of long Pond. Thence N. 66° W. 2 Ch. 35 8/12 Lks. along ridge between this and Pehu's to water run. Thence S. 10° 30' W. 2 Ch. 63 4/12 Lks. to W. end of Pond and this land. S. 73° E 33 Lks. across water run to Stake on ridge dividing Kalaau ponds from this land. Thence N 62° E. 2 Ch. 64 Lks. along between this and Kalaau pond to long pond. Thence S. 70° E. 1 Ch. 11 2/12 Lks. along between long pond and Kalaau's to Corner of Piikoi's ponds. Thence N. 1° W. 1 Ch. 19 2/12 Lks. along ridge of long ponds to angle. Thence N. 21° 30' E. 6 Ch. 12½ Lks. along between this and Piikoi's to angle. Thence N. 28° 30' E. 2 Ch. 46 2/12 Lks. along ridge to angle. Thence N. 41° E. 1 Ch. 6 7/12 Lks. to angle in ridge. Thence N. 59° E. 2 Ch. along ridge. Thence N. 34° 30'. 3 Ch. 5 3/12 Lks. along between this and Piikoi's to stake on E. edge of Well. Thence N. 17° E. 5 Ch. 9 3/12 Lks.

to stake 6 ½ ft. E of S.E. Corner of the Moody French Place (now owned by James Vowles) Thence N. 6½° W. 1 Ch. 62 ft. along Makai Side of the Moody French lot to S.W. Corner - Thence N. 30° 30' E. 2 Ch. 20 ½ ft. along W. Wall of M. French place and to stake 6 ft. Makai of Makai road leading to Waitiki - Thence N. 79° W. 6 Ch. 31 2/12 ft. along road to Place of Commencement including an area of (11 6/10 acres)
Nov. 14 - 1846. Acres 11 - Fathoms 845.

See diagram in next Page.

Board of Lands Commissioners.
Adjudication of Claim. No 274 Joseph Booth Esq.

To action of Commissioners on this claim on

1 October 1847			1
Engrossing Copy of Survey	₤ 7	3	50
Report of Commissioners this day rendered on the above Claim			5
Engrossed Copy of the same	₤ 5	2	50
	₤		12

Kaleleonalani
19 October 1848.

William L. Lee
Agent de
J.J. Smith
L.M. Konwakau
A. Kaauwai

Makai Road to Waititi.

Kaiwaiu Drain

Moody's Creek Race

Well

Fish Ponds

Pehu's Fish Ponds

Pehu's

Kaiwaiu Stream

Kaiwaiu Fish Ponds

Kaiwaiu Fish Pond

Water Run.

Claim 691 — Louis Gravier.

This is a claim to a certain house lot, situated in the district of Kikihale, Honolulu, Oahu.

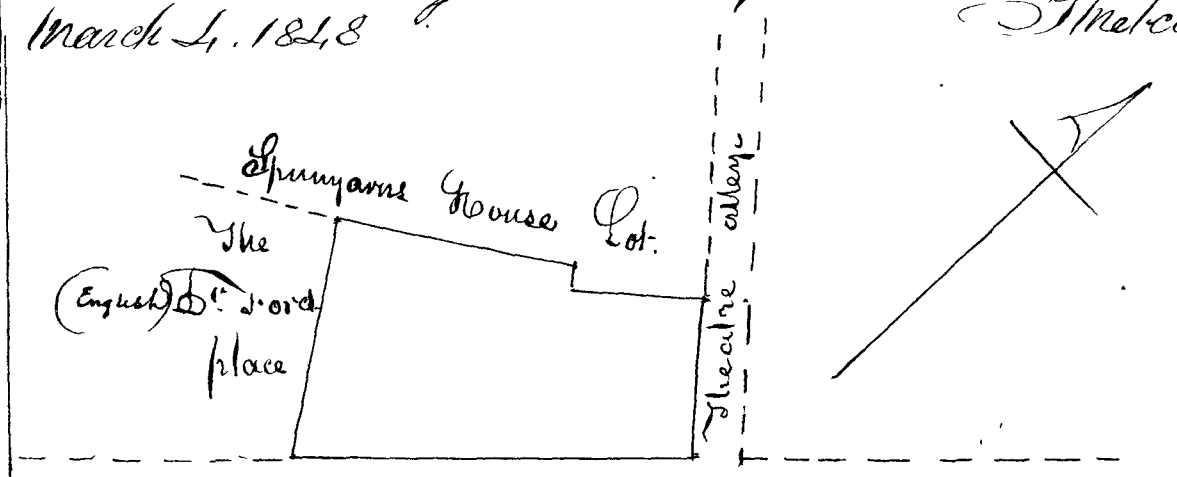
From the Evidence taken in this claim, it appears, that John Jason, some time previous to the Year 1837, obtained these Premises from K.E.M. Kekuanaoa, in Consideration of Certain services rendered by Jason in the Capacity of Blacksmith, that Jason improved the place, and lived there in peace, until the Year 1844; when he sold the same to Isaac Montgomery, for the sum of Two hundreds and fifty dollars: that subsequently in the same Year, Montgomery sold all his Right-Title and Interest, in these Premises to the Claimant Louis Gravier, for the sum of Five hundred dollars.

From this Evidence, it is clear that, whatever Rights or Title K.E.M. Kekuanaoa had in this land, is vested now in the Claimant. The title of the Chiefs, and Consequently of Kekuanaoa, has been settled to be a freehold title less than allodial; and therefore, we Confirm the same to the Claimant Louis Gravier, which freehold less than allodial, the Claimant may Commute into a fee-simple title, as prescribed by law.

The boundaries of this lot are those set forth in the annexed Survey made by Metcalf Esquire on 4th day of March 1848.

House lot in Kilikiki Honolulu
for L. Graviers. Commencing at Makai S. corner of this
lot on Maunakea St. joining the Dr. Ford lot and running
N. 48° E. 1 Ch. 4 7/12 ft. along Maunakea St. to Theatre alley
the E. corner of this lot. Thence N 38° W. 26 4/12 ft. along
Theatre alley to Spunyarns dwelling house lot North cor-
ner of this. Thence S. 52° W. 23 1/12 ft. to W. corner of
house in this lot. Thence offset 3 1/12 ft. at right angles to
corner of Jog. Thence S. 61° W. 42 11/12 ft along Spun-
yarns lot to Dr. Ford lot. Thence S. 30° 45' E. 42 11/12
feet along the Dr. Ford lot to place of Commence-
ment. including an area of Fathoms 64 Feet 17.
March 4. 1848

J. Metcalf Surv



Board of Commissioners for Land Claims
Adjudication of Claim № 691. Louis Graviers Dr.

To incidental expences of Commission for Claimants		1	
" action of Comm". in this Claim on 7 Jan". 1848		1	
Citation			50
Draft depos". of Claim reduced	$1		50
" Testimony do & Engr". on 7 Jan". & 9 Feb".	$1	10	50
Survey by J. Metcalf of this lot		5	
Report of Commissioners this day rendered in the above Claim. William L. Lee		5	
		23	50

Kate Kaauwila
October 19th 1848.

Journal
J. H. Smith
S. M. Kamakau
V. Kuaiwa

Claim N°364. John White.

This is a Claim for a land in the district of Lahaina on the Isl^d of Maui called "Polaiki" Consisting of 4 distinct pieces.

From the evidence taken in this claim, it appears, that the Claimant procured these lands from Kekauonohi who gave them to him about the time of Boki's departure, in the Year 1829; and that he has occupied them ever since in peace, with the exception of a small portion, which was taken from him a few Years since by Kalaipaihala, without any good reason. Kalaipaihala has clearly no right to the small strip of land which he has taken from the Claimant; and hence his claim can avail nothing in opposition to that of White.

In the opinion of this Board, the Claimants right is made perfectly clear by the law of the land, which prescribes that "Wherever land has been obtained from the King, or his authorized agents, without written Voucher, anterior to the 7th of June 1839, and has been continuously occupied, built upon, or otherwise improved, since that time, without molestation, the Board are to grant the Claimant a fee hold title less than allodial." In this case the Claimant received his land from one of the highest Chiefs in the Kingdom; and has occupied and improved the same from the Year 1829, without any just molestation; and We do therefore award to the said Claimant; John White a fee hold title, less than allodial, in the aforesaid lands, called "Polaiki", in the district of Lahaina, on the Isl^d of Maui; which lands are correctly bounded in the annexed Surveys made by J. Metcalf Esquire on 13th & 14th days of October 1846. This fee hold title may be Commuted for a fee-simple title as prescribed by

law, at the pleasure of the Chiefs.

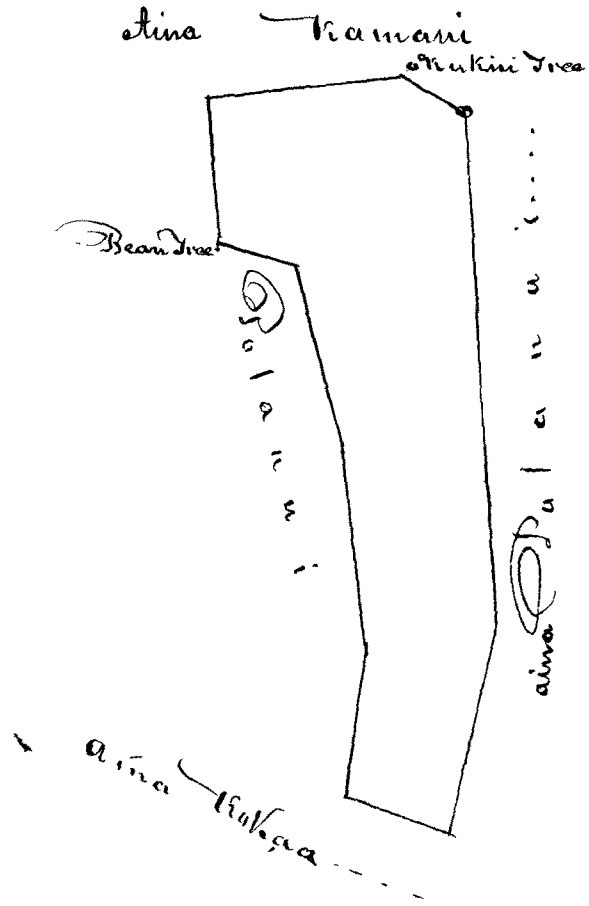
This is the full measure of the powers conferred upon the Board by the ancient usages of the Hawaiian Kingdom, and the laws of the Hawaiian Legislature - but from the small extent of this land, and the large family of the Claimant, we would respectfully recommend to the King in Privy Council, that a fee-simple title be granted to John White and his Hawaiian heirs free of any Commutation.

"Inaulka Polaiki in Lahaina:

Commencing at Stake at S. Corner of this land, being at the Corners of lands called Kamani and Polanui, and running North 66° 30' W. 5 Ch. 34 1/12 Lks. along boundary line between this and Polanui to Stake - Thence N. 51° W. 2 Ch. 44 1/2 Lks. to a land called Kekaa - Thence N. 49° E. 1 Ch. 12 Lks. along line between this and Kekaa to another land called Polanui - Thence S. 55. 30' E. 1 Ch. 29 Lks. along line between this and Polanui to angle - Thence S. 71° E. 2 Ch. 18 1/2 Lks. to N. Corner of Grass house standing on this land, Thence S. 78° E. 2 Ch. to Stake - Thence N. 38° 30' E. 49 1/2 Lks. to Rock 4 1/2 Lks. S. of Beau tree - Thence S. 66° 45' E. 1 Ch. 39 1/12 Lks. to Stake - Thence S. 22° W. 2 Ch. 5 2/12 Lks. to Stake 8 Lks. N. of Kukui tree. Thence S. 55° W. 45 W. to place of Commencement: including an area of Acres 1 - Fathoms 128

October 13. 1846

1 E. 428 Lc B. P. 468
1 - 726
2 1154

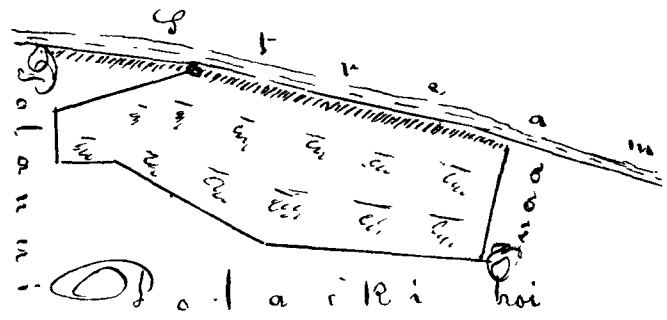


391

"Polaiki Kalo Land,

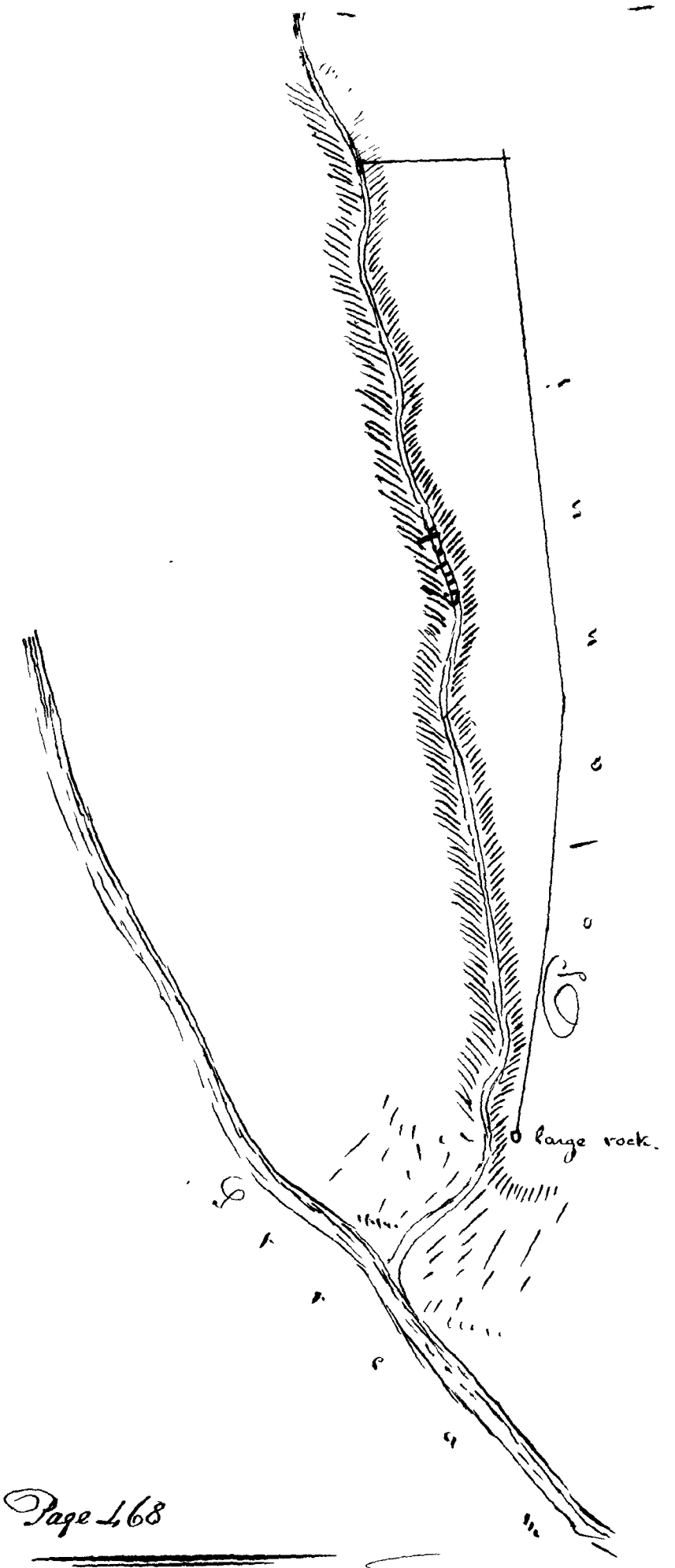
Mauka of Lahaina - Commencing at large flat-rock, beside Stream, on upper part of this land, and running N 34° E. 1 Ch. 40 3/12 Lks. to E. Corner - N. 46° W. 26 4/12 Lks. Thence S. 62° 30' W. 29 8/12 Lks. to angle - Thence S. 79° 30 W 1 Ch. 57 3/12 Lks. - Thence S. 57° W. 2 Ch. 21 2/12 Lks. to land called Puaa: Thence S. 25° E. 1 Ch. 1 1/2 Lks. to Stream Called Waiolimu - Thence following up Stream to place of Commencement - Polanui bounds this land on Mauka side, and Polaiki on the North. Including an area of Quare Fathoms 705

Lahaina Oct: 14. 1846.



"Polaiki. Mauka loa he aina kula - Commencing at large Rock at W. point of this, near pali, running down to Stream, Called Waiolimu; and 49 1/2 Lks. from bottom of gulch bounding this land on N. and running N. 77° 30 E. 5 Ch. 29 Lks. along line between this land and Polanui to Rock - Thence N. 73° E. 6 Ch 4 1/2 Lks. along Polanui to rock - Thence N. 62° 30' E. 4 Ch. 57 Lks. along line between this and Polanui to irrigating Stream and end of Cultivated Ground - Thence N. 20° 30' W. 3 Ch. 49 1/2 Lks. to bottom of Gulch - Then following down Gulch to place of Commencement - including an area of

Lahaina Oct: 14. 1846. 7 1/2 Acres.



Ap 1 E 1-428 Kn
2-0-705
3 7-605
4 1-726 Page 468
E 9.2464

11 E 44 Ahana

See L. Ct Page 468

Board of L. Comrs. vers. Adjudication of Ap. No. 364. John White Dr

To Incidental expences of Comrs. for Claimants		1	
Action of Board in this Claim Augst 14 1848		1	
do. depos. red. and Citation 50 Ch.	$1	1	
" tes. reduced & engr. on 14 Aug	$3	2	25
Engrossing Copy of Wm Metcalfs Surveys (2)	$1	2	
Report of Comrs. this day rendered on the above Claim		5	
Kate Kidu wife	William L. Lee		
Oct 23 1848	J. H. Smith	J. M. Kekauonohi	17 25
		Recorded in Hawaii	

Claim 218. Joseph Thomas

This is a claim for a piece of lands in the district of Waialua, on the Island of Oahu, generally known by the name of Ihimanu.

From the Evidence taken in this Claim, it appears that this lands was given to the Claimant by Keaumoku sometime previous to the Year 1822; and that he has built upon, and Cultivated the same in peace, from the time he received it, down to the present time. This land as appears by the Survey submitted by the Claimant made by J. Metcalf Esq^r. on the 10^th of March last, Consists of 8 23/100 acres of rich bottom land, which has been highly improved by the Claimant.

The Claimants Title is a very clear one; and the Board do hereby award to Joseph Thomas all that they have it in their power to award, namely a Freehold title less than allodial, to the above named lands; while at the same time they beg to recommend to the King in Privy Council, that a title be granted to the aforesaid Thomas and his Hawaiian heirs for Ever, free of Commutation.

Claimant is an old man, having a native wife, one Son, and two Grandchildren, his heirs; and we the more cheerfully make the above recommendation that the Claimant has been for so long a period a peaceable resident upon the lands.

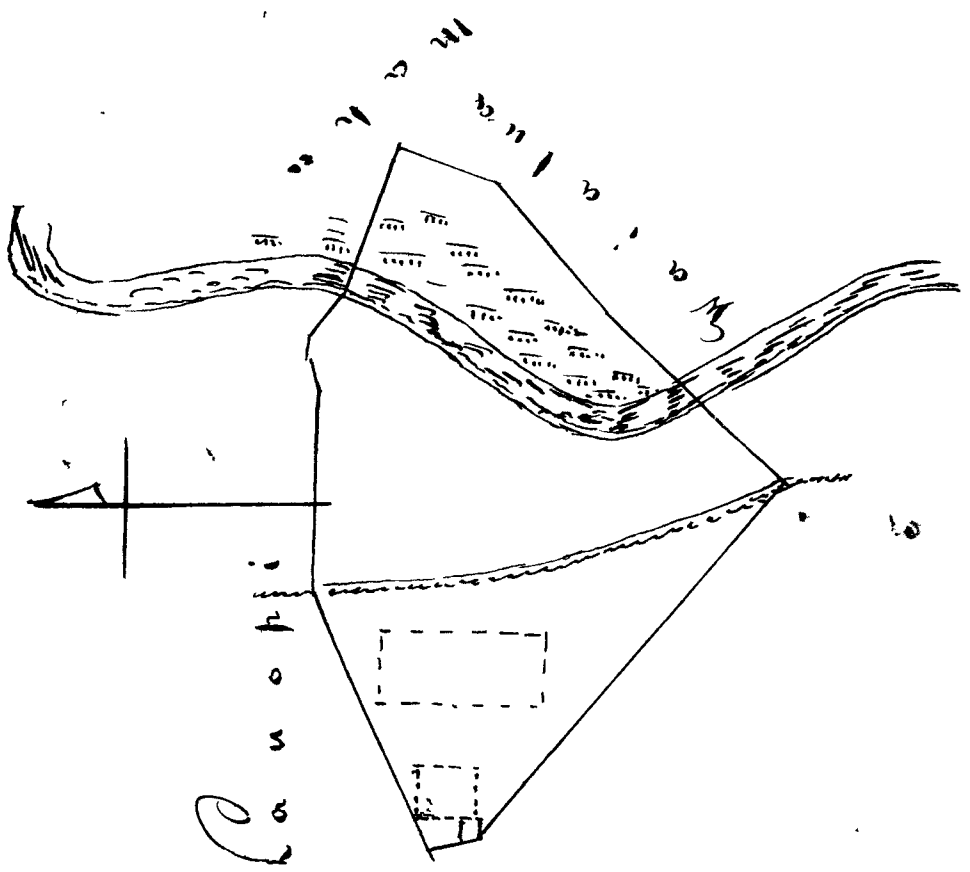
The limits of the Claimants land are Correctly defined in the following Survey, submitted by the Claimant, and made by J. Metcalf Esq^r. 10^th August 1848.

Thimanu, in Waialua, Oahu.
Commencing at corner of Stick fence on W. edge of River joining Land called Lauopa - and running N 48° 30' W. 1 Ch. along fence to angle - Thence N. 79° 30 W. 40 3/12 Lks. along fence to angle - Thence N. 87° 30 W. 1 Ch. 48 2/12 Lk. along fence to Ohia tree, angle. Thence S. 83° W 2 Ch. 39 7/12 Lks. to Stone Wall angle - Thence S. 65° 15' W. 5 Ch 58 Lks. always along Lauopa to Stake at W. Corner of this land. Thence S. 50° 15' E. 9 Ch. 56 7/12 Lk. along mauka side of this land to S. Corner - Thence N. 41° 15' E. 5 Ch 27 3/12 Lk. across River and along land called Waialua to Stake - angle - Thence N 48° 30' E. 3 Ch. 26 4/12 Lk. along bank of old fish pond to stake - angle. Thence North 24° 30 E 2 Ch. 11 11/12 Lk. along bank of old fish pond to stake at extreme east corner of this land - Thence N 73° 45' W 3 Ch. 26 4/12 Lk. along Halauopi and across River to place of Commencement - including an area of

Acres 8 23/100

March 10 1848.

J Metcalf Sur.



See next Page

Board of Commissioners for Land Claims.

Adjudication of Cl. 218. Joseph Thomas &c

To incidental expiences of Commission for Claim		1	
action of Comm.rs in this claim on 20th Oct. 1848		1	
Citation for attend.ce			50
Draft depos.ns reduced	$3	1	50
" Testimony do and Eng.r on 20 October	$3	2	25
Survey by J Metcalf Esq.r		10	
do engrossed	$2	1	
Report of Commissioners this day rend.			
— ered on the above Cl.		5	
		22	25

William L. Lee

J H Smith

Honolulu

Oahu

Hawaiian

State Kauwila

October 27 1848.

Transferred from Page 113.

Notes of Survey in Cl. 40. L. A. Maigret corrected according to deed by order of the Board 23rd October 1848.

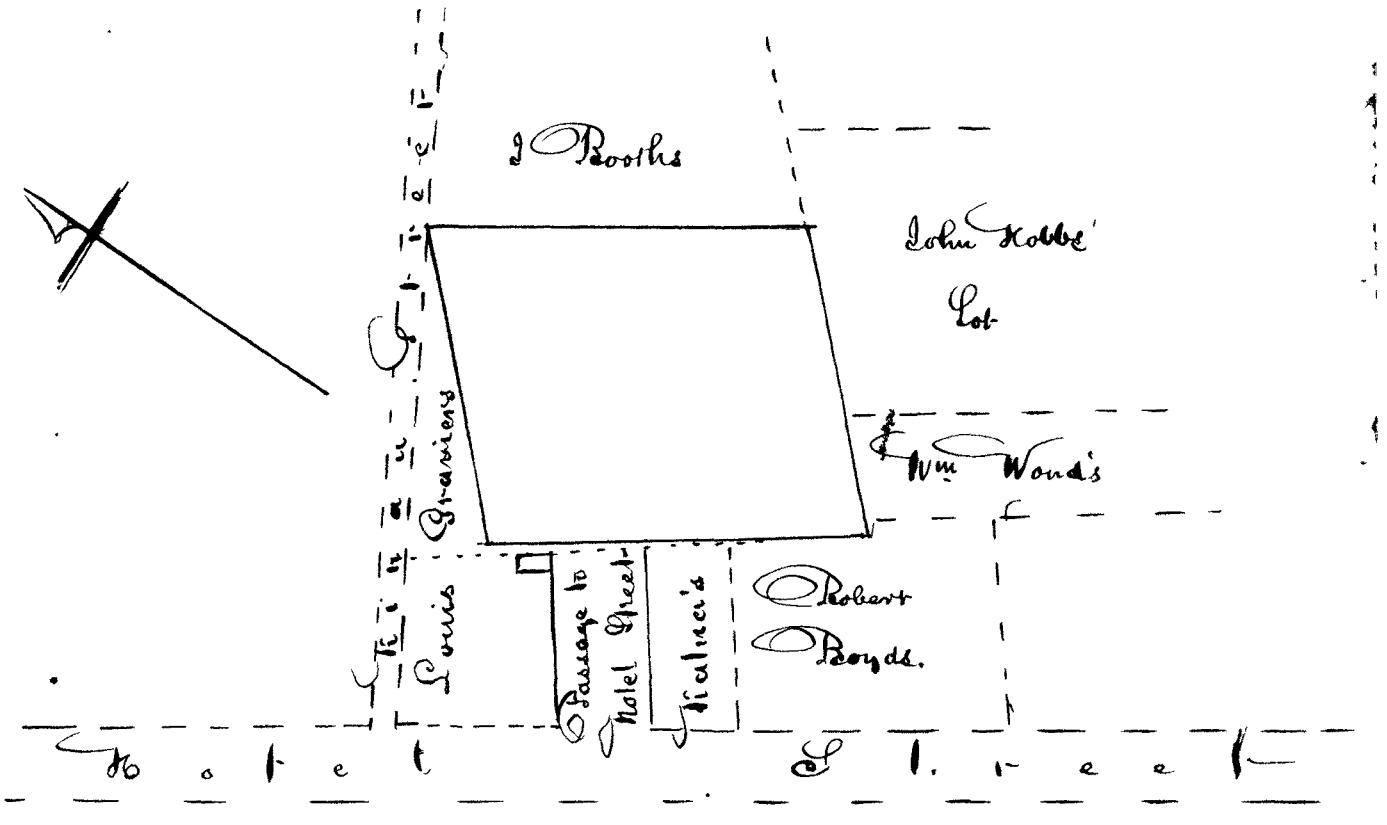
" Corrected Notes of Survey of the Catholic Mission Place in Kalanikahua, Honolulu ———————

Commencing at Makai S. Corner of this lot, joining Robert Boyds place; and Running N. 36° 45 E. 1 Ch. 44½ ft. along Wm Wonds and John Hobbs lot to Joseph Booths Burns place, lot to E. Corner of this — Thence N. 42° 15 W. 2 Ch. along Joseph Booths Place to Kinau St. the N. Corner of this lot — Thence S. 37° 45' W. 1 Ch. 44 3/12 St. along Louis Graviers house lot to Makai, W. Corner of this. Thence along Mauka sides of L. Graviers, Kalua's, and Robert Boyds place to place of Commencement — Containing an area of

Fathoms 412 — Feet 15

Note — The passage to Hotel Street is 33 feet wide; the Mauka and W. end is 53 3/12 St. from Kinau St.

The Makai and W. ends is 57 1/2 ft. from Nuuanu St.
October 23. 1848.
J Metcalf



Kalua 2071

Claim N° 602 William Wond

This is a claim for a House lot, situated in the Town of Honolulu, Island of Oahu.
From the evidence submitted to the Board, it appears, that in the year 1827 or 1828, this land, then being waste land, was taken up by Richard Ford, with the permission of Boki, and built upon, and occupied by the said Ford until the 17th day of October 1839; when he transferred all his Right, title and interest in the same, to John J. Mitchiner in exchange for a certain piece of land then possessed by the aforesaid Mitchiner, situated at Waikiki on the Island of Oahu: That on the 16th day of March A.D. 1847 the aforesaid John J. Mitchiner and Kaiue, his Wife, joined

in a deed of Conveyance of this land to the Claimant-William Wond; and that from the last-mentioned date, the Claimant has possessed and improved the same.

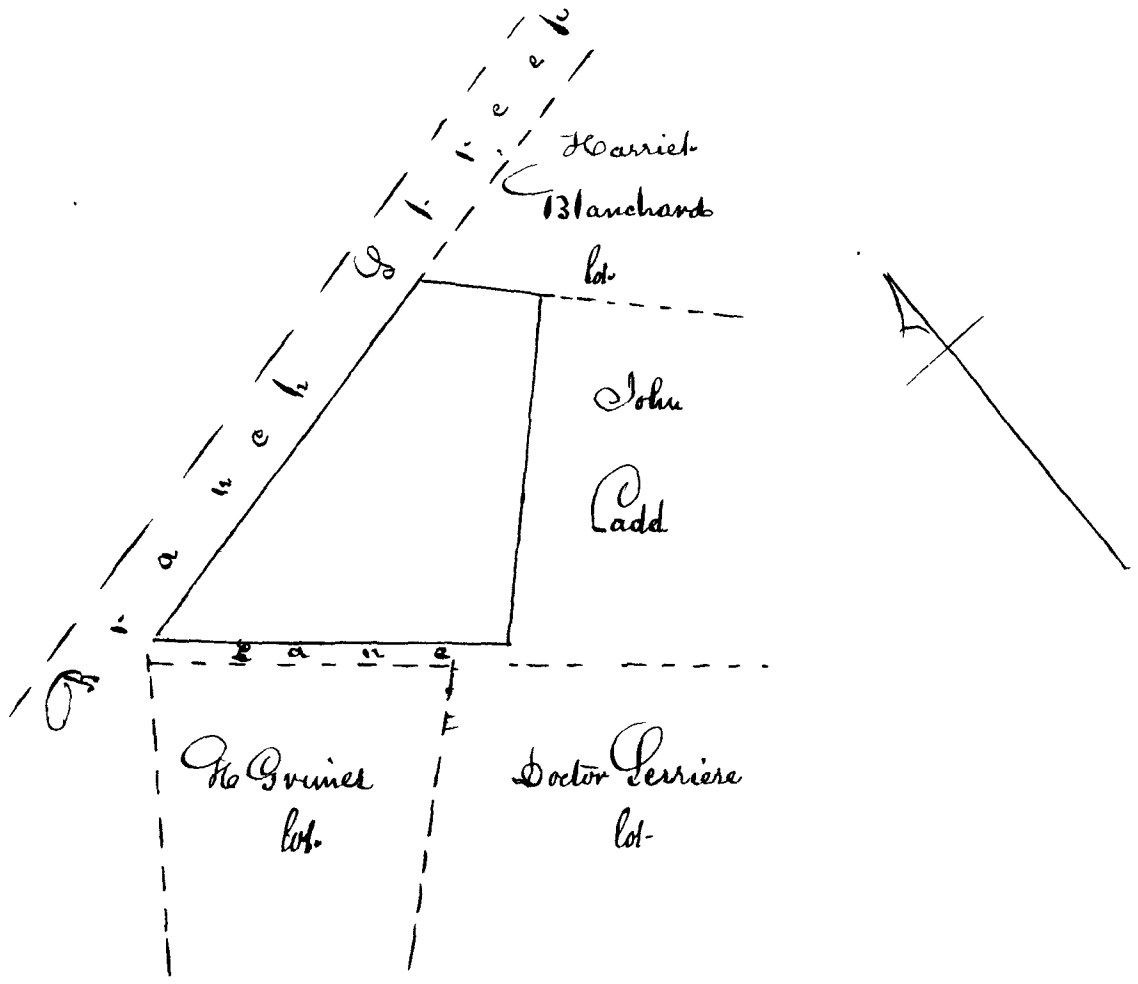
It is clear from the Evidence, that all the Rights which Boki had in this land, are now vested in William Wond, the Claimant; and assuming those rights to be as great as those of any other Chief, to-land, he would have a Freehold title less than allodial

We do therefore award to the Claimant-William Wond, a Freehold title, less than Allodial, in said land; which Freehold title he may Commute for a fee simple title. as prescribed by Law

The Correct bounds of this land are set-forth in the following Survey, made by J. Metcalf Esq on 24th day of February A.D. 1848.

"Notes of Survey of L. J. Mitchiner lot-Honolulu - Commencing at Makai S. Corner of this lot joining the Dr Perriere (S. Reynolds) lot; and running N. 52° 15' W. 1 Ch. 58 Lks along the Dr Perriere lot, and lane between this and H. Grimes lot to Branch Street at Mahai W. Corner of this - Then offset Rt Angles 2 Lks Mauka to angle - Thence N. 75° 45' E 2 Ch. 26 1/2 Lks. along Branch Street to Harriet-Blanchards lot at N corner of this - Thence S. 46° E. 43 1/2 Lks. along H. Blanch-ards to Mauka E. Corner of this lot - Thence S. 45° W. 1 Ch. 55 1/2 Lks. along Willm J. Frenchs lot (occupied by John Ladd) to place of Commencement- including an area of 7 Athoms 287- feet- 22

Feby. 24. - 1848. J Metcalf Surv:



Board of Commissioners for Land Claims
Adjudication of C. No 602 Wm Woods — D.

To incidental expences of Commission in Land Claims		1	
Action of Board in this Claim 26 Novr 1847.		1	
Citation for attendance			50
draft of deposition of Claim reduced	$6	3	
" Testimony Recd & Engd on 26 Novr and 8 Decr and engrossing Copy of Deeds (Tes'y $2-150 - C/y $4-2)	$5	3	50
Survey of lot Claimed by J. Metcalf		5	
Engrossd of do	$2	1	
Report of Commissioners in the above Claim this day rendered		5	
		$ 20	

William L. Lee
J H Smith
Joan de
S M K amdeau
U. Hannum

State Kansas
October 27. 1858.

402

See Part 1 Page 457

Claim № 273 Joseph Booth
Part 2

This is a claim for a portion of the Kewalo Estate in the valley of Pauoa, Oahu; generally known as the Little Greenwich Hospital place.

From the evidence submitted to the Board by the Claimant, it appears, that this land, as being included amongst the lands comprised under the general name of "Kewalo", was conveyed to the Claimant by his M.ty Kamehameha III and K.K. Kekauluohi, on the 6th day of September A.D. 1844, to hold during his life; with the provision, that upon the death of the Claimant, this, and other lands included under the general name of "Kewalo", should become the property of Doctor Rooke and his heirs born within the Kingdom of Hawaii; and that if the said Doctor Rook wished to give away or sell to any person born within the Kingdom, and not a subject of any Foreign Country, he should be at liberty to do so: such person being subject to the laws of the Hawaiian Islands.

On the day of making the deed above mentioned, namely the 6th day of September A.D. 1844 Doctor J. C. B. Rooke, by virtue of the powers conferred upon him by said deed, transferred all his right, title and interest in said lands to the Hawaiian born Children of Joseph Booth, "for them and their heirs, to have and to hold for ever, but not to transfer the lands therein mentioned to any foreigner, without the consent of the Hawaiian Government, or such authorities, as may be by them duly authorized."

Being of the opinion that the Claimants

Ea
Part 1 208.242 Page 457
2 211. 56
3 2-85
4 0-1043
Total 212.285 0.60
Ea or a
213.1140.5

title is made clear by the above-mentioned deeds, We do hereby award to Joseph Booth, the Little Greenwich Hospital place aforesaid, according to the metes and bounds set forth in the annexed survey of T. Metcalf Esq^r., to have and to hold to himself, during his natural life; and upon his death, to descend to his Hawaiian born children and their heirs, they being Hawaiian subjects, to have and to hold for ever.

"Survey of the Little Greenwich Place, belonging to the Kewalo Estate" "Commencing at Stake at East Corner of this place 83 ft. in a direction S. 37°. 30 W from S. Corner of Kalo patch Stone wall, and running N. 26°. W. 3 Ch 1½ ft. along line between this place and the mauinui to Stake. Thence S. 58°. 45 W. 4½ Ch. to angle in N.W. wall- Thence S. 54°. 15' W. 1 Ch 51 ft. to W. Corner of this place- Thence S. 38°. E. 2 Ch. 47 ft. along makai side to Corner Thence N. 56°. 30 E. 1 Ch. 36 6/12 ft. to angle. Thence S. 35°. E 2 Ch. 23 ft. along makai side to S. Corner of this place. Thence N. 29°. E. 4 Ch. 23 9/12 ft. along E side to place of Commencement-, including all walls, and Containing an area of Acres 2. 37 athoms 211 ½

(for diagram see General Survey Page 460)

Board of Commissioners for Land Claims

Adjudication of Part II Claim N^o 273 Joseph Booth $ ¢

To action of Board in this claim on 1st October 1847	1	
" Engrossing Copy of Survey by Thelcalf	1	
Report of Commissioners this day rendered on the above Claim.	5	
	7	

(Note - the entire costs of Testimony &c. will be found charged under Part 1 of this Number inclusively)

William L. Lee.
L H Smith D.
Lorrin A. Thurston
W. Hoapili
Kate Kauwila

October 31. 1848.

Claim N° 273 Joseph Booth
Part 3

This is a Claim for a portion of the Kewalo Estate in the valley of Pauoa, Oahu, Consisting of Kalo land, a little to the mauka of Little Greenwich hospital.

From the Evidence submitted to the Board, it appears, that the Claimants Title to this land is the same as that to the land Comprised in Part-II of this Claim - namely the Little Greenwich Hospital Place.; and to the other lands Comprised under the general name of "Kewalo"; and without reiterating the grounds of this title - We do hereby award to Joseph Booth, the aforesaid Kalo land Consisting of two acres and (884) Eight hundred and Fifty Four Fathoms; according to the Metes & Bounds set-forth in the annexed Survey of J. Metcalf Esq": to have and to hold to himself during his natural life; and upon his death, to descend to his Hawaiian born Children, and their heirs; they being Hawaiian Subjects, to have and to hold for-ever.

"Survey of Kalo land a little mauka of Little Greenwich, belonging to the Kewalo Estate in Kewalo." "Commencing at S. Corner of Kalo patch Stone wall, 1 Ch. 17 Lk. in a direction N 37°.30' E from E. Corner of Little Greenwich Place & running S. 19°. E. 3 Ch. 27 Lk. along by Kalo patch on mauka side of large tamarind tree to Stake - Thence S. 17°. 20' E. 7 Ch 40 Lk along boundary line between this and the Manini place to Stake in middle of water run to Kukia's land - Thence N. 66°. E. 63 ½ Lk. along water run and Kukia's land to Stake - Thence N. 17°. 30' W. 9 Ch. 39 ½ Lk. along line between

this and Piikoi's land to small Kukui tree - Thence N. 76° 30' E 1 Ch. 50 Lks. to Stake (to Corner of old Ki Stick Fence) Thence N. 21° W. 29½ Lks. to angle of old Ki Stick Fence - Thence N. 59° 15' E 1 Ch 37½ Lks. to E Corner of the Kula part of this land - Thence N. 19° 15' W. 3 Ch. 38 Lks. to large Stone Wall surrounding Kaili - Thence S. 70° W. 4 Ch. 34½ Lks. to mark I.B. on E. side of wall - Thence S. 22° E 2 Ch. 55 Lks. along line between this and the Mauinui place of Commencement - including an area of
(See General Survey Page 160) Acres 2 Fathoms 85

Board of Commissioners for Land Claims
Adjudication of Part 3 - Cl. 273. Joseph Booth $1.00

To action of Board in this Claim on 1 October 1847	1
Engrossing Copy of Survey of this Claim by T. Metcalf	1
Report of Commissioners this day rendered on the above Claim	5
	7

William L. Lee
I. H. Smith
Lorrin A.
L. H. Kamakau
L. Haalilio

State Dept.
October 31 1848

Claim No 273 Joseph Booth
Part 1.

This is a Claim for a portion of the Kewalo Estate in the Valley of Pauoa, Oahu, Consisting of five Kalo Patches, in the ili of Kapuni.

From the Evidence submitted to the Board by the Claimant, it appears, that this Land, as being included amongst the lands Comprised in the general name of "Kewalo," was Conveyed to the Claimant by H.M. Kamehameha III and H.H. the Premier Kekauluohi, on the 6th day of September A.D. 1844. to hold during his life; and providing, that upon the death of the Claimant,

thus and other Lands included under the general name of "Kewalo", should become the Property of Doctor Rooke and his heirs born within the Kingdom of Hawaii; and that if the said Doctor Rooke wished to give away or sell to any Person born within the Kingdom, and not a subject of any Foreign Country, he should be at liberty to do so: such Person living subject to the laws of the Hawaiian Islands.

On the same day of making the deed above mentioned, the aforesaid Rooke, by virtue of the powers Conferred on him by said deed, Conferred all his Right, title, and interest in said lands to the Hawaiian born Children of Joseph Booth - "for them and their heirs, to have and to hold for Ever: but not to transfer the lands therein mentioned to any foreigner, without the Consent of the Hawaiian Government; or such authorities, as may be by them duly authorized.

Being of the opinion that the Claimants title is made Clear by the abovementioned deeds - We do hereby award to Joseph Booth, the five Kalo Patches aforesaid, according to the boundaries set forth in the annexed Survey of J. Metcalf Esq": to have and to hold to himself during his natural life; and upon his death, to descend to his Hawaiian born Children, and their Heirs; they being Hawaiian subjects, to have and to hold for Ever.

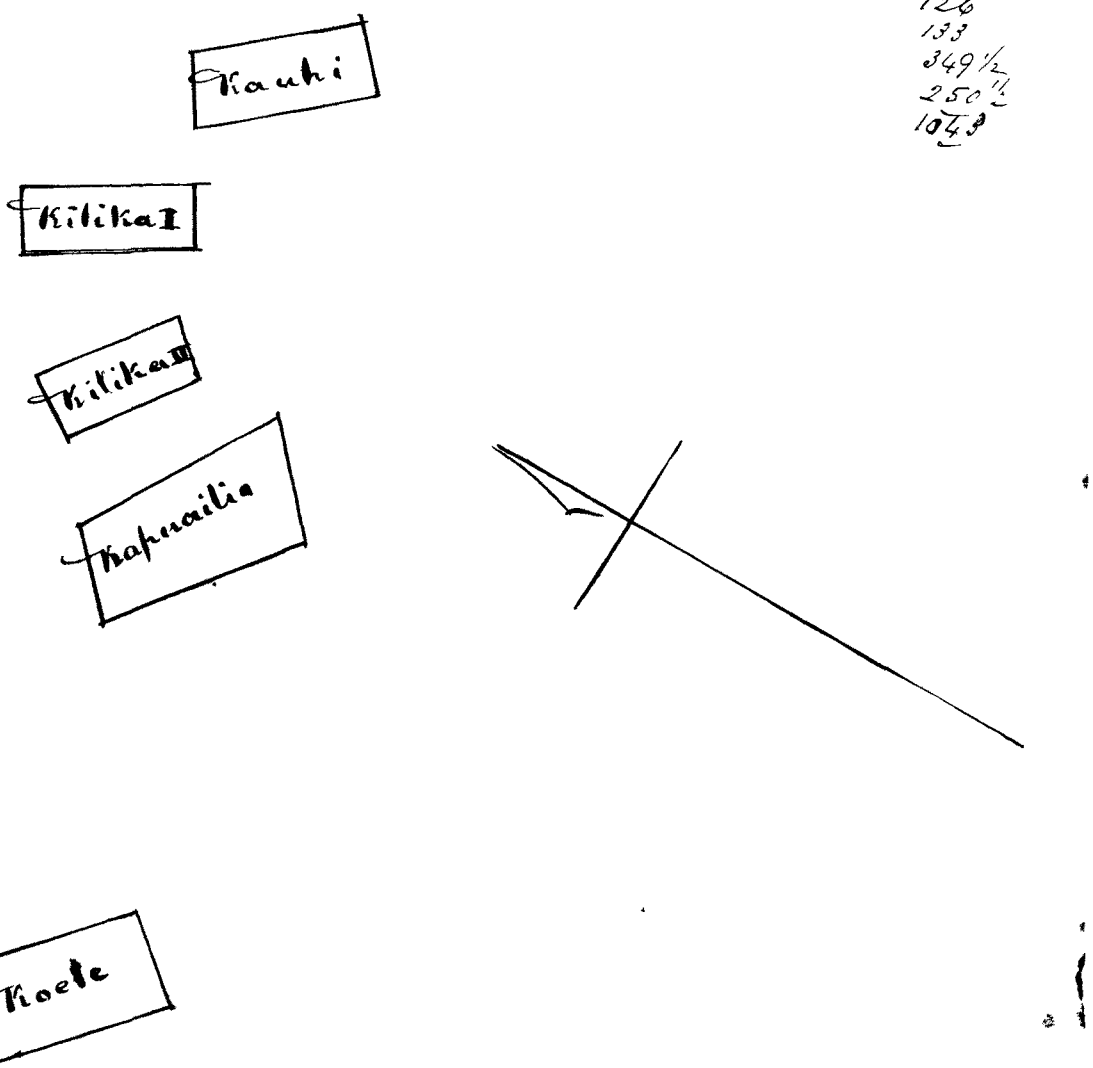
"Notes of Survey of Kalo Patches (5) makai, from Little Greenwich, in Kapuni, belonging to Kewalo Estate"

1st First Kalo Patch by name of Kauhi - Commencing at N. Corner and running S. 58° W. 56 - Thence S. 38° E. 1 Ch 56½ Lks. - Thence S. 45° 30' W. 29½ Lks. - Thence N 40° W. 2 Ch. 2½ Lks. to place of Commencement - including an area of Fathoms 184.

2 Second of Patch by name of Kalikai - Commencing at E. Corner 41½ Lks. S. 60 W. of W. Corner of Kauhi, and

running N. 38.° W. 1 ch. 52 ½ Lks. Thence S. 49.° 30' W. 46 Lks. -
Thence S. 33° 30' E. 1 Ch 49 ½ Lks. - Thence N. 58 E. 39 ½ Lks to -
place of Commencement - including an area of Fathoms 126
3 Third of Kilika II alua - Commencing at W. Corner - 1 Ch 60 ½ Lks
S. 49° W from W. Corner of Kilika akahi - and running S.
54.° 30' E. 1 Ch. 36 ½ Lks. Thence N. 44.° E. 42 Lks. Thence
N. 49.° W. 1 Ch. 39 ½ Lks. Thence S. 39° W. 51 Lks. to place
of Commencement - including an area of Fathoms 133
4 Fourth of Kapuailio - Commencing at N. Corner 62 ½ Lks.
S. 34.° W. from W Corner of Kilika alua - and running
S 48.° W. 1 Ch. 12 Lks. - Thence S. 48.° E 2 Ch. 18 ½ Lks. Thence
N 50.° 30' E. 1 Ch. 35 Lks. Thence N. 56 ½ W. 2 Ch. 23 9/12 Lks.
to place of Commencement - including an area of Fathoms 349 ½
5 Fifth (2) of Koele - Commencing at E. Corner 3 Ch. S. 55.°
30' W. from W corner of Kapuailio, and running S. 41° W.
93 3/12 Lks. - Thence N. 45° W. 1 Ch. 58 Lks. Thence N. 43° E.
78 Lks. - Thence S. 43.° E. 1 Ch 59 ½ Lks. to place of Comonence
ment - including an area of Fathoms 250 ½
(Note 1210 Sq. Fathoms equal 1 acre - 1 Chain is 66 Lks. in length.)

184
126
133
349 ½
250 ½
1042



408

Board of Commissioners for Land Claims

Adjudication of Cl. No 273. Part IIII Joseph Booth &c

In action of Board in this Claim 16 & October 1848	1
Engrossed Copy of Survey by J Metcalf in this Cl.	2
Report of Commissioners this day rendered in the above Claim	5
	8

Hale Kauwila
October 31. 1848

William L. Lee
J H Smith D.
Stanedi
M K Kamakau
D. Kaumuai

Part withdrawn

Claim No 59. Part 2 John Meek

This is a claim to a house lot in Honolulu, now occupied by the Claimant.

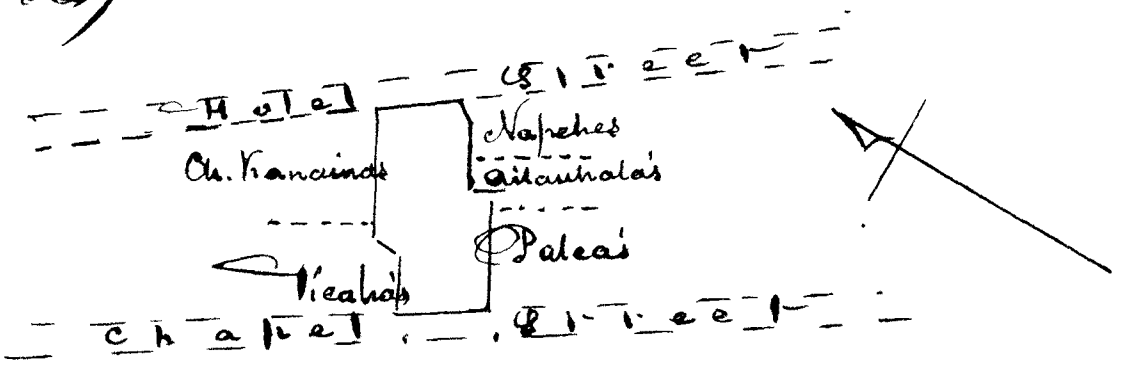
From the Evidence taken in this claim, it appears that this lot was given to the Claimant by Boki, and that the Claimant has built upon, & occupied the same in peace, from the Year 1820 down to the present time. The long and peaceable possession of the Claimant, renders his title perfectly clear; and we do hereby award to the Claimant all that is in the power of this Board to award to him, namely, a Freehold title less than allodial, to the above named house lot; according to the metes and bounds of the annexed Survey of J. Metcalf. Esq.; which Freehold title less than allodial, the Claimant may Commute into a fee-simple

title as prescribed by law.

Commencing at a small S. Corner of this lot on Chapel St. and Running N. 56° 45' E 1 Ch. 2 ft. along Palaes lot to slight angle in fence. Thence N. 56° 15 E. 1 ½ Ch. along Palaes & Hilau-halas lots to Corner. Thence N. 33° 45 W. 31 8/12 ft. to Corner. Thence N. 52° 30' E. 57 7/12 ft. along Hilauhalas & Napehes lots to S. Corner of Mud-house. Thence N. 56° 30 E. 30 ½ ft. to E Corner of Mudhouse. Thence N. 51° 45' E. 36 ft. along Napehes lot to Hotel St. Thence N. 41° 30 W. 1 Ch. 12 ft along Hotel St. to Mauka N. Corner of this lot. Thence S. 55° W. 2 Ch. 60 5/12 ft. along E. Kanainas lot to Corner of wall. Thence S. 6° 30' E. 26 ½ ft. along Keahas to Corner. Thence S. 6° W. 1 Ch. 12 ½ ft. along Keahas lot to Chapel St. Thence S. 38° 15' E. 1 Ch. 55 3/12 ft. along Chapel St. to place of Commenced. Including an area of Fathoms 1002 Feet 10.

April 1847

J Metcalf Sur-



Adjudication of Cl. 591. Part 2 John Meek

To Incidental Expences &c			1
Action of Com^n on 24 Nov^r 1847	1 Citation	50	1 50
Cl. depos.^s of Cl. Rec^d			50
" Testimony Rec^d & Eng^d		p1	75
Survey by J. Metcalf Charges Com^n for new copy for one lost by Cl.^t		3	
Engrossg. &c			1 50
Report of Commiss^rs. This day rendered on the above			5
			13 75

31 October 1848

L. Kaauwai

W. Smith

Claim No 591 John Meek

Part 1.

See Apana 2 Kona for this Claim

This is a Claim for Kalo Land in the district of Kapa-lama, Oahu; Known by the name of "Kuwili."

From the Evidence of K.E. Kekauaoa taken in this claim, it appears, that the Claimant acquired this land from his Brother Captain Thomas Meek who, with the Consent of the King Kamehameha 3 and Kinau the Premier, transferred it to the Claim-ant, about the Year 1835, and that the Claimant has been in peaceable possession of the same, from that time, down to the present. The Witness adds- "The title of Cap: John Meek to this land is the same as my title to lands given me by the King." There is no Evidence before the Board, as to Manner or time in which Cap: Thomas Meek became possessed of this land - but from the statement of the Claimant which is undoubtedly Correct, this land was given to Captain Thomas Meek by Kaikeoewa in the Year 1832.

In the opinion of the Board, the Claimants Title is rendered perfectly Clear, by the evidence, and the laws enacted for the Government of this Board, and We do herby award to the Claimant, John Meek a Title, equal to that of any Chief, owning lands ac-quired by Gift from the King - namely, a Freehold title. Less than allodial in the land "Kuwili," as bounded and described in the annexed Survey of T. Metcalf Esq: made on 22nd of February AD. 1848. This title may be Commuted for a fee simple title as prescribed by law

"Notes of Survey of Waiuonae (Kuwili) in Kapalama Oahu"

"Commencing at Makai S. Corner of this land at Stake - and running N. 61° 15' W. 2 Ch. 28 1/12 Ft. along Kuwili loko to stight angle - thence N. 67°. 15 W. 4 Ch 40 3/12 Ft along Kuwili loko to Makai W. Corner of this land - thence N. 45°. 30' E. 8 Ch. 46 2/12 Ft along

Pelikane to Corner. Thence N. 36° 30' W. 41 ft. to corner. Thence N. 45° 30' E. 2 Ch. 52 8/12 ft. to Corner. Thence N. 39° 30 W. 19 2/12 ft. to Corner. Thence N. 43°. E. 1 Ch. 39 ft. to Corner. Thence N. 39° 15' W. 1 Ch. 14 1/2 ft. to Corner. Thence N. 52° 30' E. 1 Ch 46 2/2 ft. to Corner. Thence S. 41° E. 48 2/12 ft. to corner. Thence N. 52° E 49 1/2 ft. to corner. Thence S. 41° 15' E 45 7/12 ft. to corner. Thence N. 53° 45' E. 1 Ch. 22 1/12 ft. always along Kaukoholua, to Ohiene mauka N. Corner of this land. Thence S. 38° E. 1 Ch. 5 3/12 ft. along mauka side of this land to Corner. Thence S. 41° W 15 10/12 ft. to Corner. Thence S. 41° 30' E. 2 Ch 34 4/12 ft to Corner. Thence 42° 30' W. 46 10/12 ft. to Corner. Thence S. 41° E. 1 Ch. 50 10/12 ft. to E. Corner of this land. Thence S. 49° 45' W. 4 1/4 Chs. to 109. Thence N. 63° 30' W. 13 10/12 ft. to N. Corner of K. Lupplieus lands. Thence S. 48° W. 1 Ch. 41 7/12 ft. to Corner. Thence S. 42° 30' E. 2 Ch. 9 3/12 ft. along Makai side of K. Lupplieus to corner. Thence S. 47° W. 7 Ch. 8 ft. to place of Commencement. including an area of Acres 9. 58/100

Feb 22. 1848. T. Metcalf Surv.

See Diagram next Page

Boards of Commissioners for Lands Claims

Adjudication of Claim No 591 part 4 John Meek Dr.

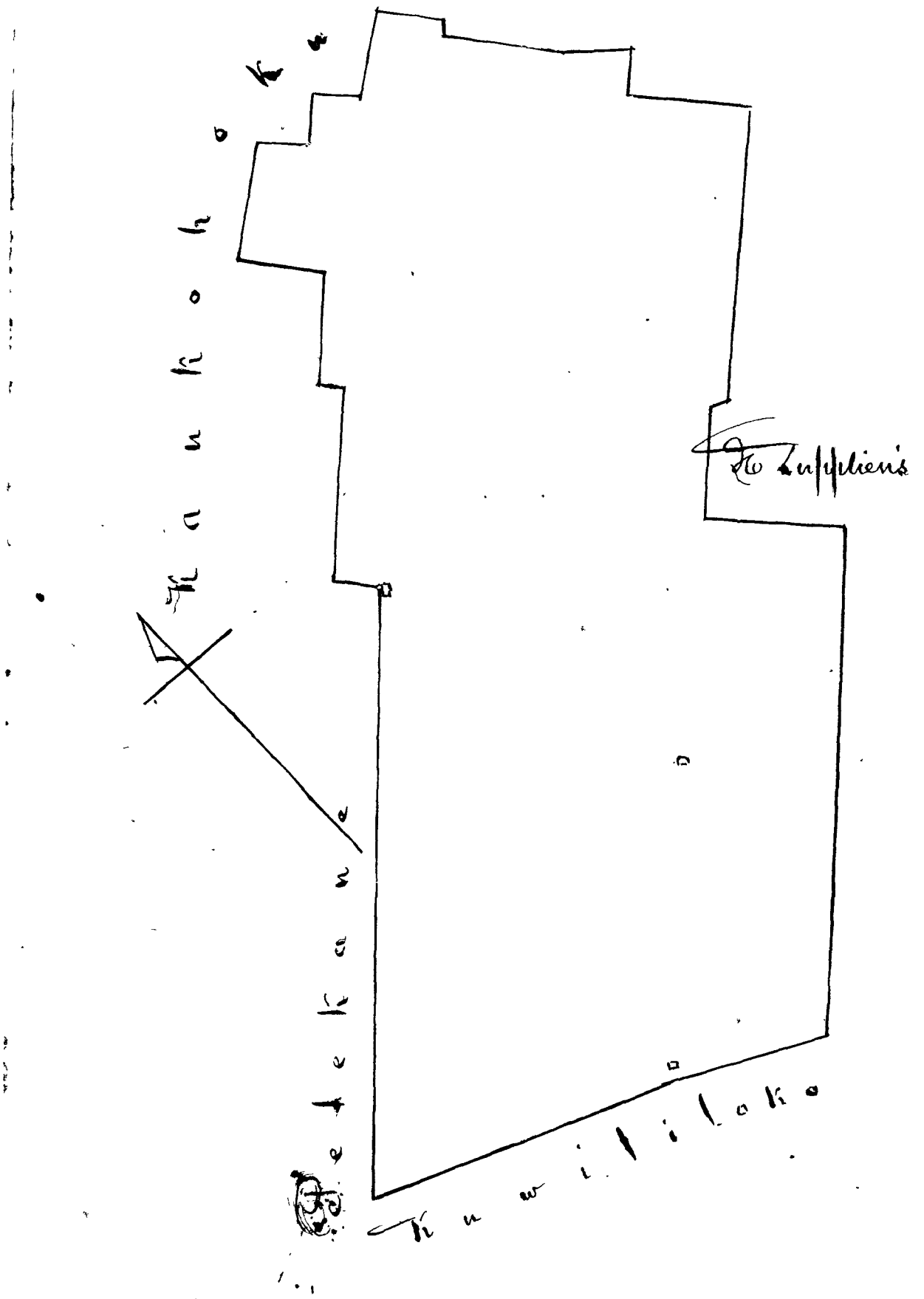
To incidental expenses of Commission &c		1	
" Action of Board in this Claim 24th Nov. 1847		1	
" Citation for attendce.			50
" Draft deposition of Claim Reqd	$1		50
" " Testimony Reqd and Engd	$1		75
" Bill of Survey by T. Metcalf of land claimed.		7	
" Engrossing Copy of Survey	$4	2	
" Report of Commissioners this day rendered on the above Claim		5	
	$	17	75

William L. Lee
W H Smith
Commissioners

Hale Kauwila
31 October 1848

L. M. Kaanaana
L. Kaaimai

412



Claim N°591. John Meek
Part 5.

This is a claim for a small piece of land in Makiki, Isl^d of Oahu - used as a Cattle Pen -

From the Evidence of M. Kekuanaoa taken in this Claim 24^th November 1847, it appears that in the Year 1840 the Claimant requested the King

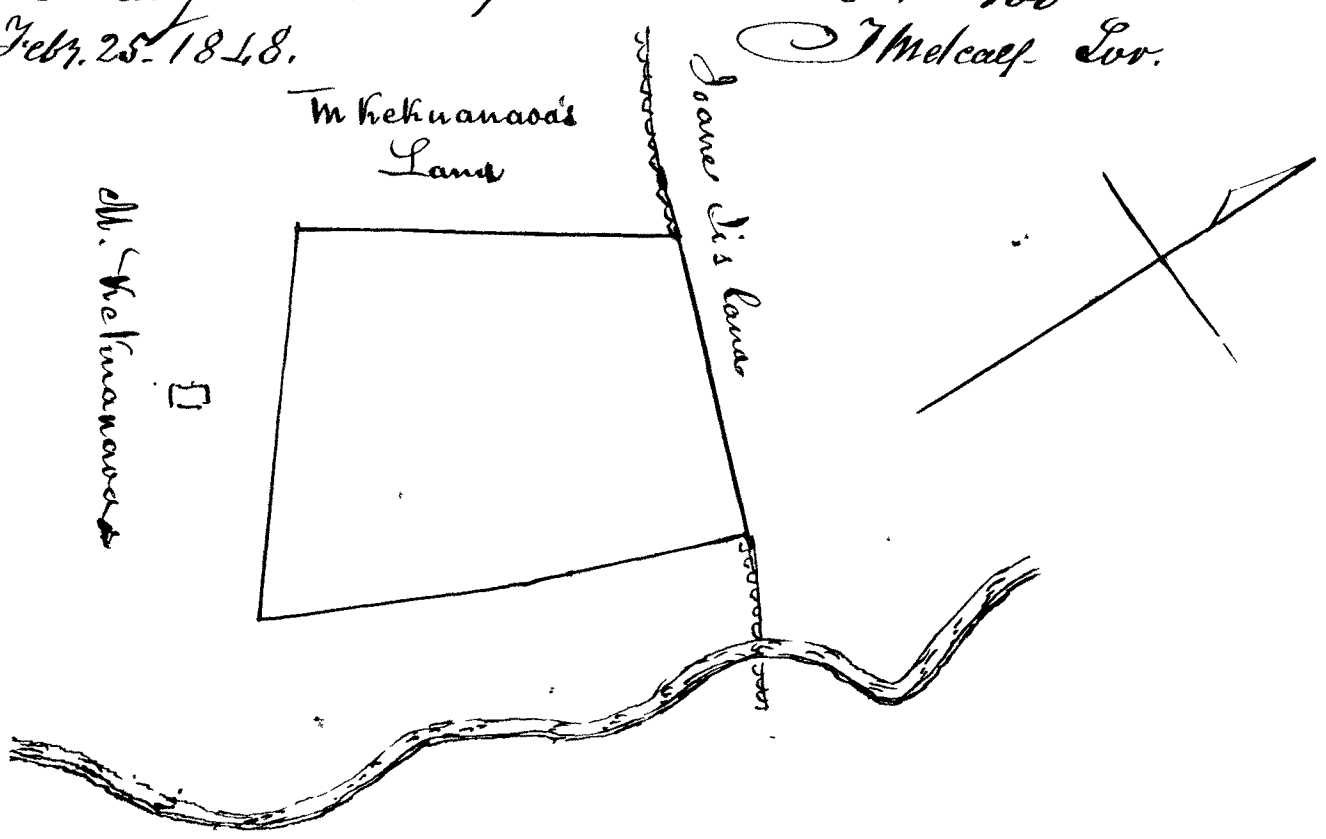
to give him a piece of land at Makiki, for a Cattle Pen - that the King - Witness - Kaalilio and Claimant, went to Makiki, when the King gave Claimant this land, which was measured off by Kaalilio and Witness, and soon after fenced by Claimant; and that the Claimant has had peaceable possession of the same from the date of the Gift 1840 down to the present time.

Being of the opinion, that the Claimants title is beyond dispute we do hereby award to John Meek the Claimant, a freehold title, less than allodial, in said lands; which freehold title he may Commute for a Fee-simple, as prescribed by Law.

The Correct bounds of the aforesaid land, are set forth in the following Survey made by J. Melcalf Esq^r 25^th February A. D. 1848.

"Notes of Survey of Kaaihee, in Makiki Oahu". "Commencing at Makai W. Corner of this land and stone wall enclosing it - and running S 53.° E 4 Ch. 13 2/12 Li. along M. Kekuanaoa's lands to Makai S. of this - Thence N. 25.° E. 2 3/4 Ch. along land claimed by Joane Si to slight angle in wall - Thence N. 21.° 15' E. 2 Ch. 29 8/12 Li. to Mauka E. Corner of this land. Thence N 71.° 15' W. 3 Ch. 17 10/12 Li. Joane Si's land to N. Corner of this - Thence S. 34.° W. 4 Ch. along M. Kekuanaoa's land to place of Commencement - including an area of Acres 1 73/100

Feb^y. 25. 1848. J Melcalf Sur.



Board of Commissioners for Land Claims

Adjudication of Claim N°591 - Part 5. John Meek

			$	¢
To	incidental expences of Commissioners			1
"	action of Board in this Claim on 24 November 1847			1
"	Citation			50
"	draft deposition of Claim Recd		$1	50
"	" Testimony Recd and Engd		$1	75
"	Survey by T. Metcalf Esq.			5
"	do engrossed Copy		$2	1
"	Report of Commissioners this day rendered on the above Claim			5
				14 75

William L. Lee
J. H. Smith
Lorenzo Lee
L. McKeon dkd
W. Richards

Hale Kauilidea
31 October 1848

Claim N°620. Stephen Reynolds

This is a claim for a house lot, situated in Honolulu, Island of Oahu, and adjoining the American hospital grounds, owned by John Meddles.

From the Evidence of William French and J. C. B. Rooke - witnesses sworn, and examined in this Claim: it appears, that this lot was originally taken possession of by Doctor A. P. De Sessiere, about the Year 1829; and that he built upon, and occupied the same, until the Year 1831, - when he departed from these Islands; and the lot in question, then came into the possession of the Claimant, by virtue of a certain mortgage upon the lot, given to him by Doctor de Sessiere, on the first day of September A.D. 1831 - for the sum of four hundred dollars.

It further appears, from the Evidence of the aforesaid

witnesses, that this lot was afterwards transferred by Claimant to Mr Greenway; but that it soon after reverted to Claimant; and that he has had the undisputed possession of the same ever since the departure of Doctor de Perriere.

In the opinion of the Board, the Claimant's title is rendered perfectly clear by the Evidence, and the laws enacted for the Government of this Board; and we do therefore award to Stephen Reynolds, the Claimant, a feehold title less than allodial, to the above-mentioned house lot, according to the Metes and Bounds of the annexed Survey made by J. Metcalf, Esq^r, on 28^th day of January 1848; which feehold title less than allodial, he may commute for a fee-simple, as prescribed by law.

"Notes of Survey of the Perriere Place in Honolulu"

"Commencing at Mauka E. Corner of this Place on N.W side of Cross Street; joining lot owned by Wm French, and occupied by John Ladd: and running S. 38° 30' W. 2 Ch. 4 5/12 Ft. along Cross St. to John Neddles lot at S. Corner of this. Thence N. 46° 45' W. 1 Ch. 56 7/12 Ft. along John Neddles lot to Kiram Grimes dwelling house lot at W. Corner of this. Thence N. 44° 45' E. 2 Ch. 4 Ft along to Grimes lot, and by lane to Wm Wonds dwelling house lot (J.J. Mitchener Place) at N. Corner of this. Thence S. 54° 30' E. 21 10/12 Feet along Wm Wonds to his S. Corner at Wm French's lot. Then offset right angles, Makai 7 3/12 Ft. to W Corner of Wm French's lot. Thence S. 49° E. 1 Ch. 43 Ft. along Wm French's lot to Place of Commencement. This lot has a lane 6 ft. wide (Course N 52½ W. 1½ Ch) leading out between H. Grimes & Wm Wonds places to Street. and including an area (exclusive of lane) of 1 Athoins 131

Jany 28. 1848. J Metcalf Surv.

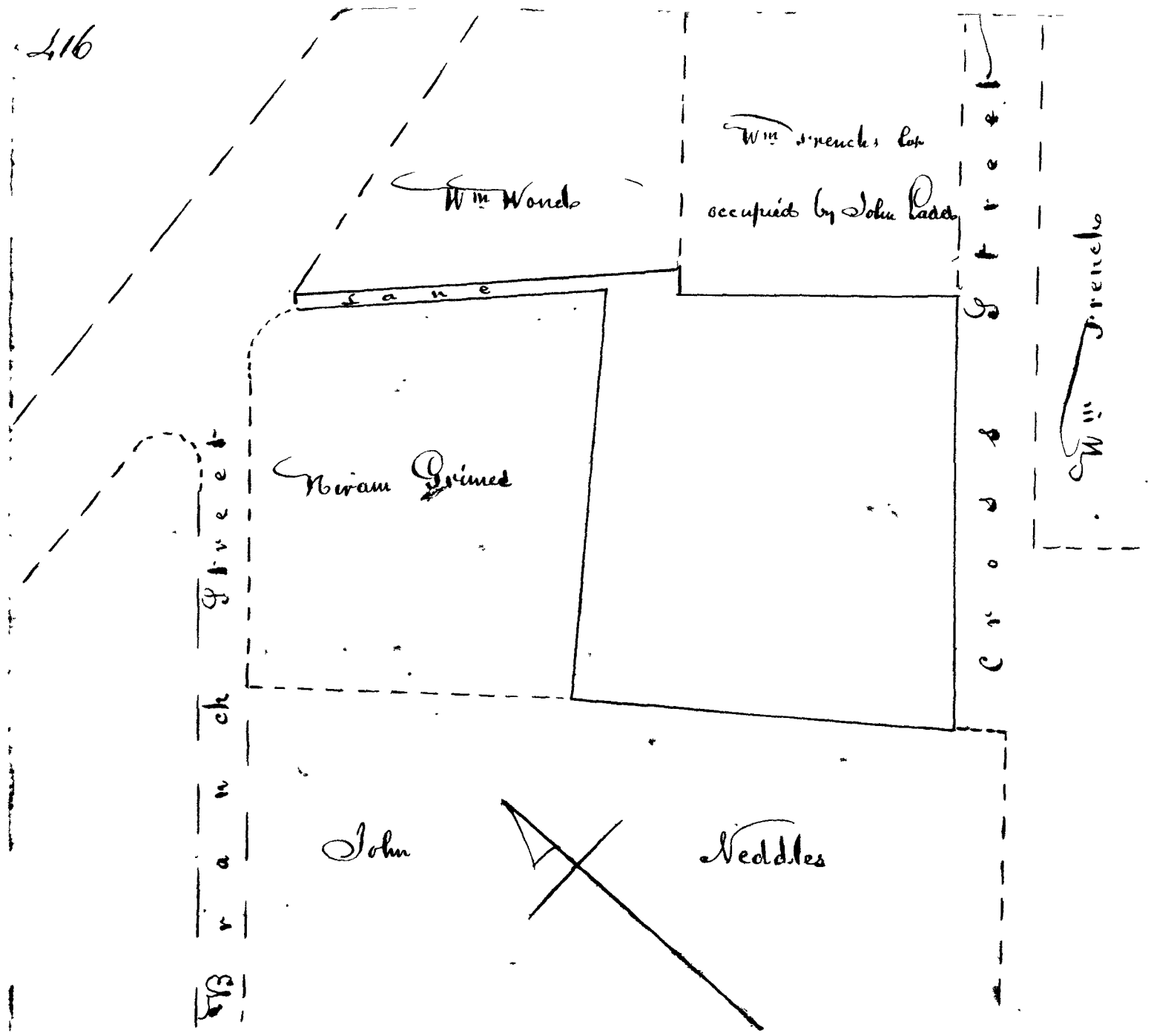
See diagram next Page.

Board of Commiss^rs for Land Claims

Adjudication of A. № 620. Stephen Reynolds Dr

To Incidental expences of Comon^rs relating to Land Claims		1	
" Action of Board in this Claim on 13 Dec^r 1848		1	
Citation for att^d			50
Draft-depos^n of Claim reduced	$1		50
" Testimony do and engrossed including deeds f^s		3	
Survey by J. Metcalf $5 - engrossd C/sy $3 - $1.50		6	50
Report of Commissioners on the above Claim this day Rendered [redacted]		5	
[redacted]		17	50

See next Page.



Hale Kauwila
Honolulu.
1 November 1848

William L. Lee
L. H. Smith
Joseph Ii
S. M. Kamakau
Y. Kaaiwai

Claim № 622. Stephen Reynolds.

This is a claim for a House lot, situated on the corner of Nuuanu and Hotel Streets, in Honolulu, Island of Oahu - and designated as the "David Owen Place". From the Evidence submitted to the Board in this claim, it appears, that this lot, at a period long anterior to the Year 1835, was in the

possession of one Captain Davis, who sold it to a man by the name of Conant, and that Conant sold the same to a person named John Crowne, a subject of Gt. Britain, who lived on the lot, and died in possession of the same in the Year 1835: that Crowne died in debt: that Richard Charlton, then British Consul at the Sandwich Islands, took the possession of his Property as his ex-officio Executor, and disposed of this lot to David Owens, for the sum of four hundred dollars in order to pay Crownes debts: that Owens built upon, greatly improved, and occupied the premises from the Year 1835, until the Year 1841, when he sold them to the claimant, giving him a deed for the same, in which Kahili, the Wife of said Owen, joined; and relinquished all her right to dower in the premises Conveyed.

The Claimant has been in possession of the Lands from the date of his purchase from Owen, namely 19th of December 1841 down to the present time. But there has been a Counter claim to this land filed with the Board by the Son of John Crowne, who claims the land on the ground that the proceedings of Charlton, in the disposition of this land, were irregular, and Consequently void.

But this Counter Claimant, whose native name is Keoni Kalaunu (see Cl. No 15) having been cited to appear before the Board on the 1st 7th and 21 days of July 1846 and afterwards on 27th of December 1847, and having on all those occasions failed to produce any evidence of his Claim; or to show any good reason for not doing so; the Board are of the Opinion, that said Counter Claim should no longer stand in the way of an Award to the Claimant Stephen Reynolds.

From the Continued neglect of Keoni Kalaunu to produce any Evidence in opposition to the Evidence of Mr Reynolds, We view his Title as clear beyond dispute; and We do hereby Award to Stephen Reynolds, a Freehold Title less than allodial in this lot, according to the Metes and bounds of the annexed Survey made by J. Metcalf Esq.r on 28th of January 1848; which Freehold title less than allodial, the Claimant can Commute for a Fee-simple as prescribed by Law.

"Notes of survey of the David Owen Place on Corner of Nuuanu and Hotel Streets."

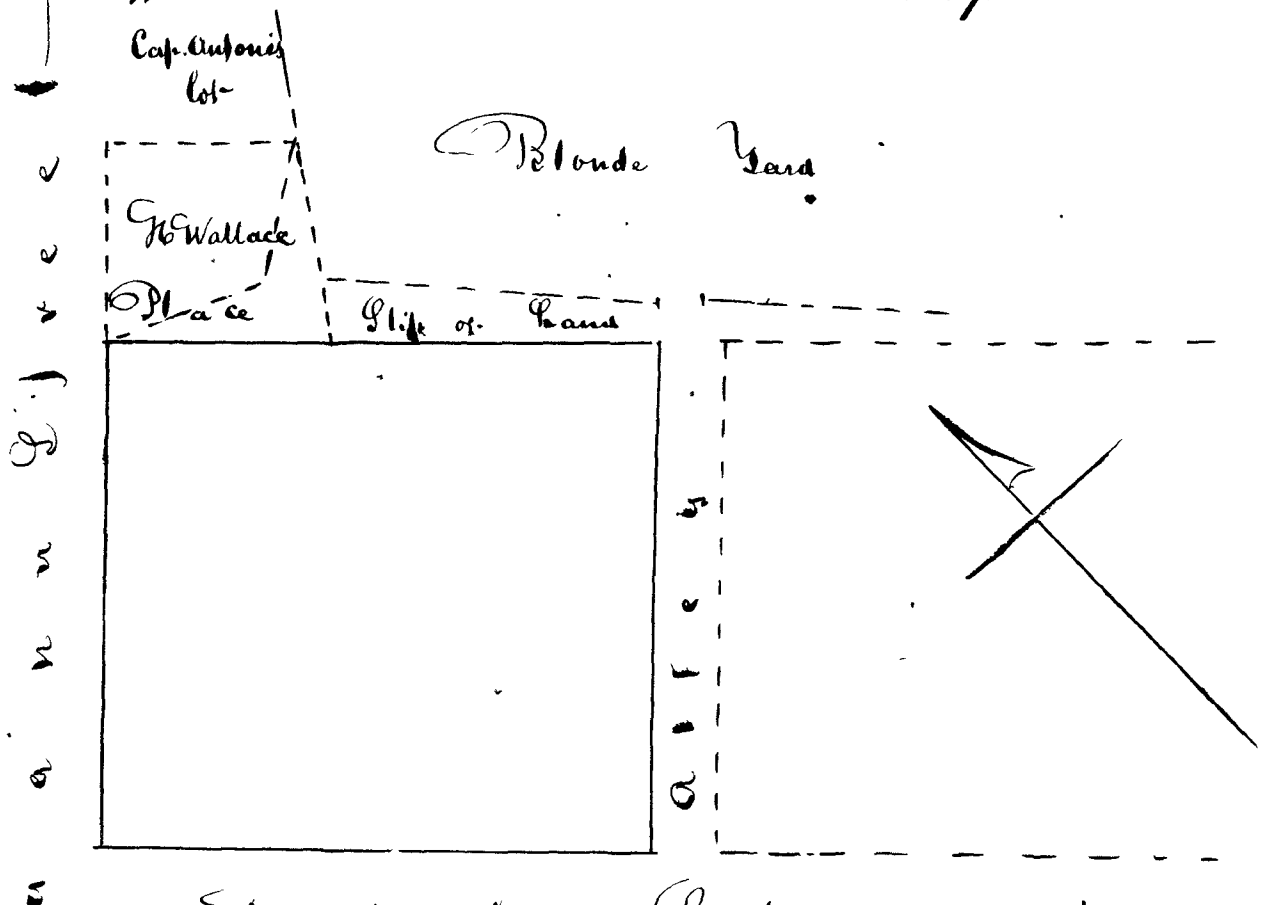
"Commencing at Makai S. corner of this lot at intersection of alley leading into the Blonde Yard with Hotel Street and running N. 42° 30' W. 2 Ch.. 4 inch. along Hotel Street

to Nuuanu St. at W. Corner of this Lot. Thence N. 49° E. 1 Ch. 50 8/12 Lks. along Nuuanu St. to the H. Wallace place at N. Corner of this lot. Thence S. 44° E 1 Ch 63 Lks. along the H Wallace place and slip of land between this and the Blond Land to alley at E. Corner of this lot. Thence S. 47° 30' W. 1 Ch. 55 3/12 Lks. along alley to place of Commencement - including an area of

Fathoms 434 - Feet 19

Jan. 28 1848.

J. Metcalf Surv.



Board of Comm[rs] for Land Claims

Adjudication of Cl. N. 622. Stephen Reynolds

To Incidental Expences of Commission &c			1
" Action of Board &c. in this claim 15 dec[r].	1848		1
" Citation and dr. def[n] of Cl. rec[d]		$1	1
" Survey of this land by J. Metcalf and engrossing			6
" Report of Comm[rs] this day rendered (in above cl[m]s copying deed)			5
draft testimony rec[d] & eng[d] on the 15 dec[r]		$8	4
			18

W. L. Lee

J. H. Smith

Board of L. C.

State Kauwila

1 November 1848

Claim 624. Stephen Reynolds.

This is a claim for a house lot, situated in the Town of Honolulu, Island of Oahu, and designated as the "Alexander Smith place".

From the evidence taken in this claim, it appears that this land was given to Alexander Smith in the Year A.D. 1829 by Ekau, the head man of Kinau, and that Smith built upon and occupied the same in peace, until the 12th day of March 1841, when he sold the same to the Claimant, who has possessed it without disturbance down to the present time.

Being of the opinion, that the Claimants title is clear We do hereby award to Stephen Reynolds, a Fee hold title less than allodial in said House lot, according to the Metes & bounds of the annexed Survey, made by J. Metcalf on the 29th of January A.D. 1848, which Fee hold Estate may be Commuted for an Estate in Fee-simple as prescribed by law.

"Notes of Survey of the Alex. Smith Place in Honolulu"

"Commencing at Mauka N. Corner of this lot, on Makai side of Church Street, joining E.H. Grimes' premises (occupied by J.C. Spalding) and Running S. 48° 15 E. 59 1/2 Ft. along Church St. to the H. Swinton lot. Thence S. 45° 15 W. 100 ft. 50 2/12 Ft. along middle of wall between this & the H. Swinton lot to its (H.S.) West Corner. Thence N. 35° W. 8 Ft. to a corner of wall. Thence S. 67° 45' W. 14 1/2 Ft. along Mrs Tho.s Cummins premises to angle. Thence N. 44° 30' W. 43 3/12 Ft. along the Cummins premises to Corner at Chinamen's Cook house. Thence S. 55° W. 17 2/12 Ft to S. Corner of Cook house. Thence N. 32° 15' W. 32 ft. along makai side of Cook house to angle. Thence N. 26° W. 20 1/2 Ft. along house to makai W. Corner of this lot. Thence N. 66° 30' E. 2 Ch. 9 3/12 Ft. along premises occupied by Samsing & Co and J.C. Spalding to place of Commencement" including an area of

Fathoms 308. Feet 22.

Jan.y 29. 1848 J. Metcalf Sur.

See diagram next page

Board of Commissioners for Land Claims

Adjudication of C. No 621 Stephen Reynolds Dr

To Incidental expences of Land Commission		1	
" Action of Board in this Cl. on 13th Decr 1847		1	
" Citation and dr. Depn: of claimed	$1	1	
" dr. Fes'd Recd and Engd in this Cl.	$5	2	50
" Survey of this Land by J Metcalf Esq Rec'd	$1	6	
" Report of Commissioners in the above Cl. This day rendered		5	
		16	50

William L. Lee
I. Smith
Commissioners

Kaleleonalio
Secretary

Hale Nauwila
1 November 1848

Claim № 628 Stephen Reynolds

This is a claim for a lot of land situated in Honolulu Island of Oahu - Hawaiian Islands, known as the Navarro lot, and now occupied by the Claimant as his store premises.

From the testimony of Wm French and John Ii, witnesses produced, sworn and examined in this Claim, on the part of the Claimant - it appears that this lot was possessed and occupied by Joseph Navarro, in the year A.D. 1825, when Navarro rented the same to Wm French, who occupied it in peace, by virtue of his lease from Navarro, until the year A.D. 1829, when the said Navarro sold the lot to Stephen Reynolds, the Claimant, who has had undisturbed possession of the same from the time of his purchase down to the present time.

The long and peaceable possession of the Claimant renders his title perfectly clear; and We do hereby award to Stephen Reynolds, a Freehold Title in the aforesaid lot and premises; which Freehold title may be Commuted for a title in Fee-Simple as prescribed by law.

The metes and Bounds of the above awarded land are contained in the annexed Survey, made by Metcalf Esquire, on the 28th day of January A.D. 1848.

"Notes of Survey of Stephen Reynolds Store house lot (Navarro) Honolulu."

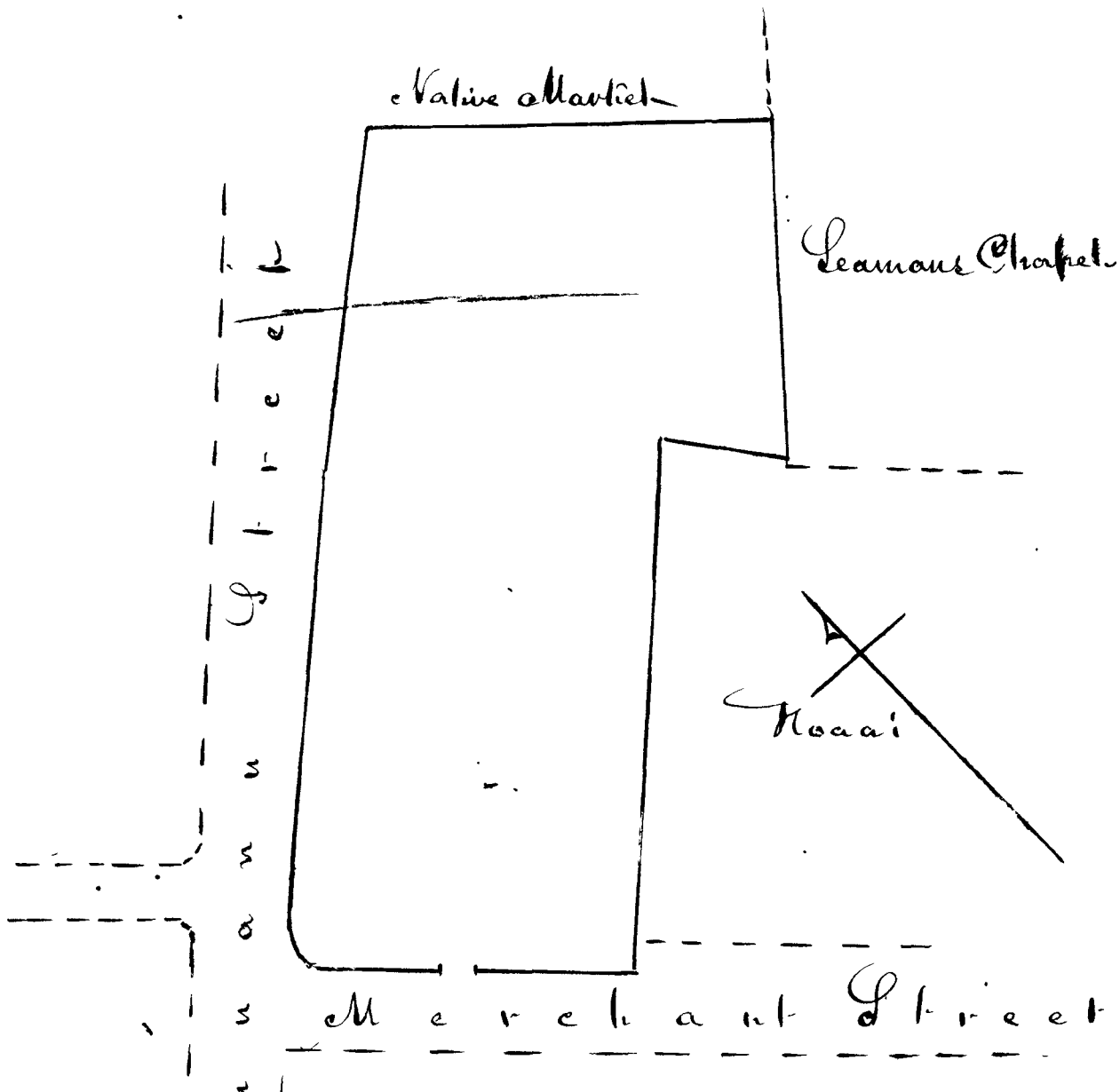
"Commencing at Makai S. Corner of this lot on Mauka side of Merchant St., and running N. 36° W. 1 Ch. 25½ Lks. along Merchant Street to Nuuanu St. at W. Corner of this lot. Thence N. 56° 30' E. 1 Ch. 62 Lks. along Nuuanu St. to slight angle in wall. Thence N. 60° 15' E. 1 Ch 25 5/12 Lks. along Nuuanu St. to Native Market at Mauka N. Corner of this lot. Thence S. 38° E. 1 Ch. 41 Lks. along Native market place to Seamans Chapel lot. the E. Corner of this. Thence S. 50° 45 W. 1 Ch. 23 9/12 Lks. along Seamans Chapel lot to Jog. Thence N. 26. 30' W. 33 Lks. along Hoaais lot to Corner of Jog. Thence S. 55° 30 W. 2 Ch. 7 3/12 Lks. along Hoaais to place of Commencement - including an area of

Fathoms 604 - Feet 31

Jany 28. 1848 J. Metcalf Surv.

(See diagram next Page.

422


Native Market
Seamans Chapel
Store
Store
Store

Claim No 623. Stephen Reynolds

This is a claim for a lot situated in Honolulu, Isl^d of Oahu- Hawaiian Islands; and generally known as the Henry L. Swinton lot.

From the evidence submitted to the Board by the claimant, in this claim, it appears, that in the Year A D 1839, Henry L. Swinton procured this lot from Kealiiahonui and Kekauonohi, in exchange for a Claim he had upon them for about Eight-hundred dollars; they having assumed the Payment of a debt for this amount due from a man named Braddock: that the said Swinton immediately afterwards took possession of the lot; and built upon and occupied the same in peace until the Year A.D. 1842; when he sold it, with all its buildings appurtenances and privileges to Stephen Reynolds, the Claimant; who has had undisturbed possession of the same ever since.

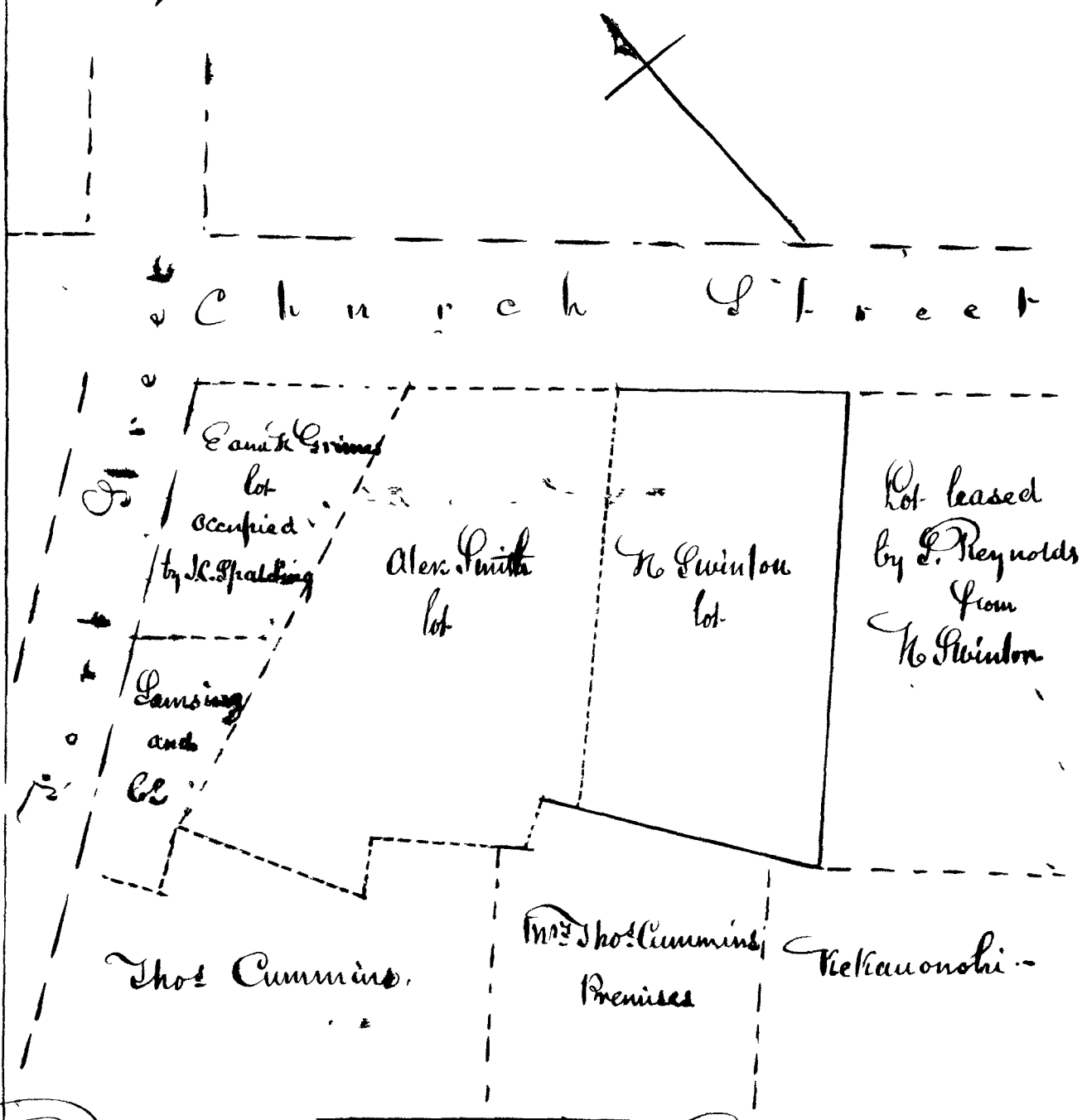
It is clear, that all the Right, title, and Interest that the original Grantors, Kealiiahonui and Kekauonohi had in this Land, are now vested in the Claimant, And assuming their Rights to be as great as the highest Chiefs in lands received from the King, the Claimant would be entitled to a Feehold Estate in said lot, less than allodial; which We do hereby Award him; and which may be Commuted for an Estate in Fee simple as prescribed by Law.

The Correct Metes and bounds of the aforesaid lot are Contained in the following Survey, made by J Metcalf on 29th day of January 1848.

"Notes of Survey of the H Swinton lot in Honolulu for ~~Stephen~~ Reynolds"

"Commencing at Mauka N. Corner of this lot on makai side of Church St., joining the "Alex: Smith lot" at its E. Corner- and running S. 48° 15' E. 65. 8/12 ft. along Church St. to E. Corner of this lot Thence S. 43° 30' W. 2 Ch. along lot leased by Stephen Reynolds from H. L. Swinton, to premises claimed by Kekauonohi at S. Corner of this lot Thence N. 35° W. 1 Ch. 4 11/12 ft. along lots claimed by Kekauonohi and Hrs Thos Cummins to the "Alex^r Smith lot at W. Corner of this Thence N.

45.° 15 E 1 Ch. 50 7/12 Lt. along middle of wall between this and the Alex: Smith lot to place of Commence-ment— including an area of Fathoms 233 feet 15.
Jany 29. 1848. T. Metcalf Surv.



Board of Commissioners for Land Claims
Adjudication of C. No 628. Stephen Reynolds Dr

To	Incidental Expenses of Commission	1	
"	Action of Board in this C. on 14 Feby. 1848	1	
"	Citation and dr. dep: of C. Red	1	
"	Dr Jes Red & Engd in this C. chiefly Copies do of	5	2 50
"	Survey of T Metcalf & Engrossg	2	6
"	Report of Comrs this day Rendered on the above Claim		5
			16 50

William L. Lee
J. S. Smith
Commissioners

Hale Naauao
1 November 1848

Claim 629. Stephen Reynolds.

This is a claim for a House lot, situated in Honolulu, Island of Oahu - Hawaiian Islands, now occupied by J. G. Gummer.

From the evidence taken in this claim, it appears that this lot was originally given to Chapman and Lolloh by Boki in the Year 1823 or 1829, in exchange, or as part payment for the Waonde premises: that Chapman and Lolloh afterwards made it over to Wm French, in payment of a certain Mortgage they had given to him; that French afterwards sold this, and the adjoining lot on the Waikiki side, to Edward L. Grey: that about the Year 1838, Grey sold that part of his purchase from French, which is included in this Claim, To Benjamin Pitman Jr., who had quiet possession of the same until the 26th day of October A.D. 1844, when he Conveyed it to the Claimant Stephen Reynolds.

The Claimants Title is indisputable, and We do hereby award to Stephen Reynolds, a Freehold estate less than allodial, in said lot, which Freehold may be Commuted for a Fee-simple estate, as prescribed by law.

The correct Metes and Bounds of the above awarded lot are Contained in the following Survey made by T. Metcalf, on the 29th day of January A.D. 1848.

"Survey of lot occupied by Mr. Gummer"

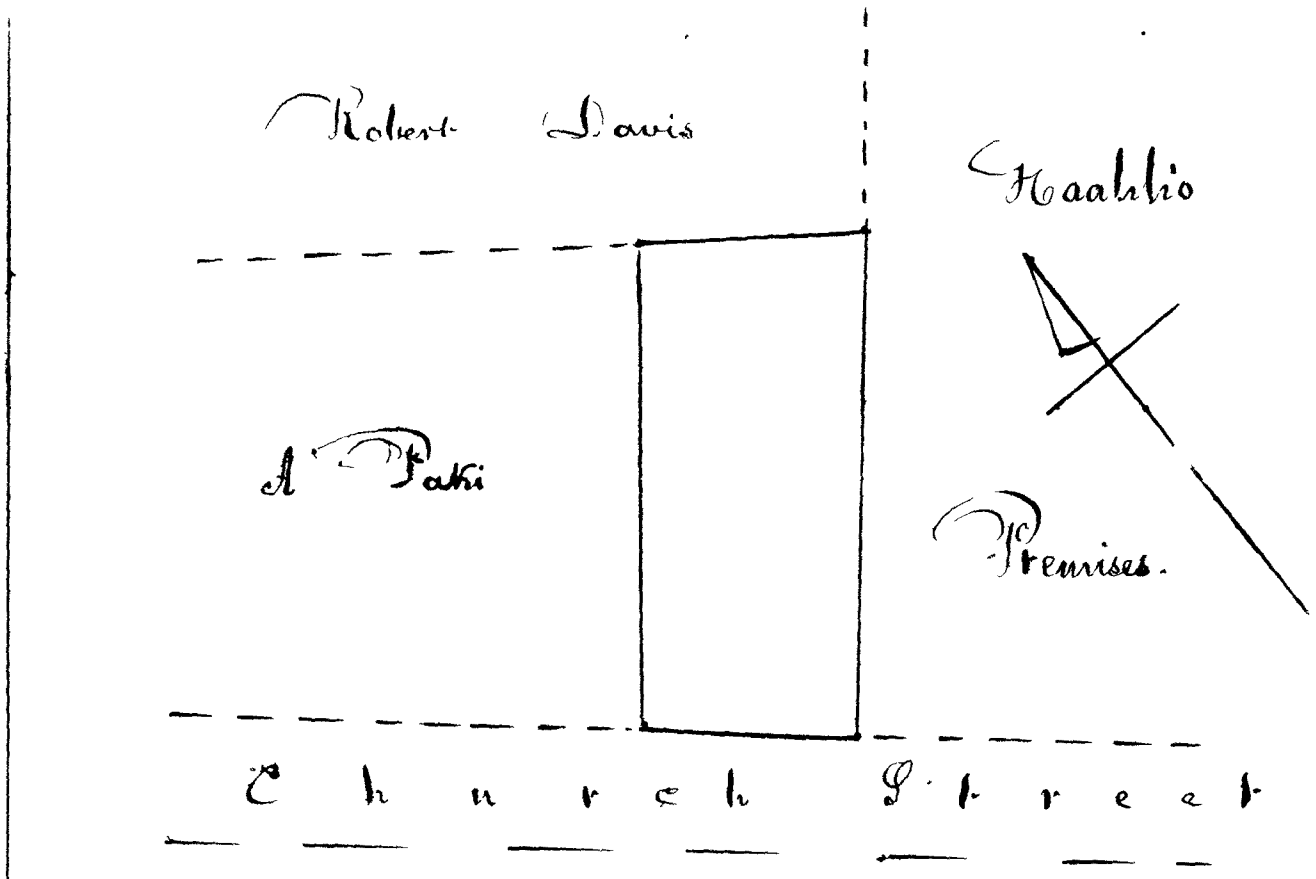
"Commencing at Makai W. Corner of this lot, on Mauka side of Church St. joining A. Pakis dwelling house lot; and Running S. 47° 45 E. 52 2/12 Ft. along Church St. to the Kaalilio (Kanaana) place at S. Corner of this; Thence N. 41° 45' E 1 Ch. 50 2/12 Ft. along the Kaalilio place to Robert Davis' dwelling house lot at E. Corner of this. Thence N. 50° 15' W. 52 2/12 Ft. along Robert Davis' lot to A. Pakis' premises at N. Corner of this; Thence S. 41. 45 W. 1 Ch. 48 2/12 Ft. along A. Pakis to place of Commencement: including an area of

7 Arthons 169 Feet 20.

Jany 29. 1848

T. Metcalf Surv."

426



Boards of Commissioners for Land Claims
Adjudication of Cl. № 629. Stephen Reynolds &c.

To	incidental Expences of Commn in Land Claims		1
"	Action of Commn in this Cl. on 26 Jan & 2 Feb 1848		1
"	Citation and &c. depn of Cl. Recd	£1	1
"	&c. test. Recd & Engd in this Cl.	£5	2 50
"	Survey of J. Metcalf 4/5 & Engng	£2	6
"	Report of Commissioners this day Rendered on the above Claim W. L. Lee, J. H. Smith, Joane Li, B. Kaunuai		5
			16 50

Kate Kauwila
1 November 1848

See Next Page

Boards of Commissioners for Land Claims
Adjudication of Claim № 631 Stephen Reynolds &c

To	Incidental Expences of Commn in Land Claims		1
"	Action of Board in this Claim on 13 Decr 1848		1
"	Citation and draft deposition of claim	£1	1
"	draft Test. Recd & Engd & Chiefly copying deeds	£5	2 50
"	Survey of J. Metcalf in this claim & Engrossg	£2	6
"	Report of Commrs this day rendered in the above Claim		5
	W. L. Lee, J. H. Smith, Joane Li, S. M. Kamakau, B. Kaunuai		16 50

Kate Kauwila
1 November 1848

Claim N.o 631. Stephen Reynolds.

This is a claim for a House lot, situated in Honolulu, Island of Oahu, Hawaiian Islands, and now known as the Residence of Stephen Reynolds the Claimant.

From the Testimony of George Wood, taken in this claim, on 13th of December A.D. 1847, it appears, that this lot was originally acquired by the Witness George Wood, from Boki, in the Year A.D. 1826 as a Gift: that by virtue of said gift from Boki, Wood then took possession of the lot, built upon, and occupied the same in peace down to the first day of May A.D. 1844, when he Conveyed the same by deed to Stephen Reynolds, the Claimant, who has had undisturbed possession of it ever since.

Whatever Rights the Donor had (Boki) in this land, which the Board take for granted, were as great as any other Chief possessed in lands, now belong to the Claimant: and we do therefore award to Stephen Reynolds, a Freehold Estate, less than allodial, in the above mentioned lot, which Freehold Estate may be Commuted for an Estate in Fee-simple as prescribed by Law.

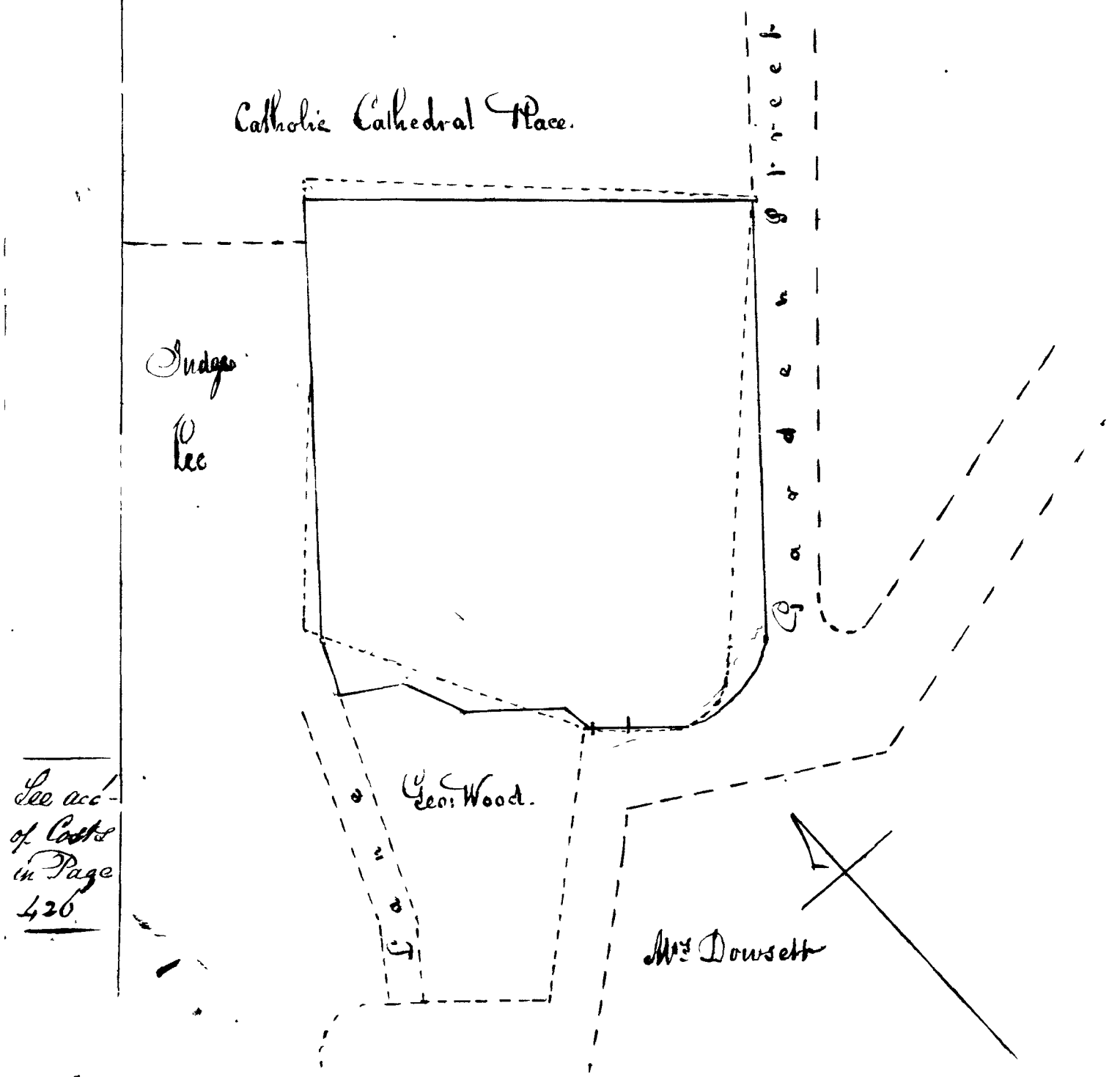
The Correct Metes and bounds of the above awarded land, are contained in the following survey, made by T. Metcalf on 28th day of January A.D. 1848.

"Notes of Survey of Stephen Reynolds' dwelling house lot (George Wood Place) Honolulu"

"Commencing at mauka E. Corner of this lot on N.W. side of Garden St. - joining the French Catholic Mission Premises, and Running S. 39° W. 2 Ch. 3 Ft. along Garden St. to slight angle of wall, then following curving bend of wall (Chord S. 86° 30 W. 43 ft.) to within 28½ Ft. of E. Corner of G. Woods dwelling house lot; Thence N. 51° 45' W. 28 ½ Ft. to Geo: Woods lot: Thence N. 14° W. 6 Ft along Geo: Woods to angle of Fence; Thence N. 50° 30 W. 31 8/12 Ft. to angle of Fence. Thence N. 22° 15' W. 17 10/12 Ft. to S. Corner of Cook House standing in this Yard; Thence N. 53 ½ W. 23 ½ Ft. always along George Woods lot, to middle of wall by lane into Judge Lee's premises, Thence

N. 20°. 30' E. 16½ ft to angle of wall along lane; Thence N. 36°. 45' E. 1 ½ Ch. to slight angle of wall along Premises occupied by Judge Lee; Thence N 39°. 30' E. 58 7/12 ft. along Judge Lees Premises (the Wm Paty lot) and Catholic Mission Place (always center of Wall) to mouth N. corner of this lot; Thence S. 49°. 45' E 2 Ch. 10 7/12 ft. along Catholic Mission Premises to place of Commencement. Including an area of Fathoms 628. Feet 29 Jany 28. 1848. J Metcalf Sur.

Note. The red dotted lines in the annexed diagram literally demark the boundaries of Stephen Reynolds dwelling house lot according to deed = the line along the Catholic Mission is given in the deed, as running to the Wm Paty premises (now occupied by Judge Lee) but in fact, it is 15 ft. mouth of it.



See acc't of Costs in Page 426

Claim № 632. Stephen Reynolds.

This is a Claim for a House lot, situated in Honolulu, Island of Oahu, Hawaiian Islands, known as the "John Robinson lot."

From the Evidence taken in this Claim, it appears, that this lot, in the Year A.D. 1830, was in the possession of a Man, named Johnson, who sold it to Robinson, in the Year aforesaid, and went to the Bonian Islands: that from the Year A.D. 1830 Robinson has possessed, and held the same in peace: that on the 27th day of May A.D. 1842, Robinson Conveyed the same to the Claimant by a deed, conditioned, that if the said Robinson his heirs, executors, administrators, or assigns should pay to the Claimant his heirs &c the sum of forty dollars with Interest, at the rate of one per ct. per month, before the expiration of two Years from the date of the deed — that then the deed should be null and void; otherwise in full force and effect. The 40 dollars it appears, has never been paid; and upon this deed or mortgage, and the failure to make payment as aforesaid, the Claimant bases his Claim.

On 15th day of December A.D. 1847, the aforesaid Robinson, and the Claimant Stephen Reynolds, appeared before the Board, when it was agreed upon between them, that the aforesaid lot, should be awarded to Stephen Reynolds, with the following reservation, that whenever John Robinson, or any of his Heirs, shall pay to Stephen Reynolds or his Representative, the sum now owing by the said Robinson to the said Reynolds, namely, the sums of Eighty nine dollars, with Interest on the same, from date, then the said Reynolds should Convey the same to the Children of the said Robinson.

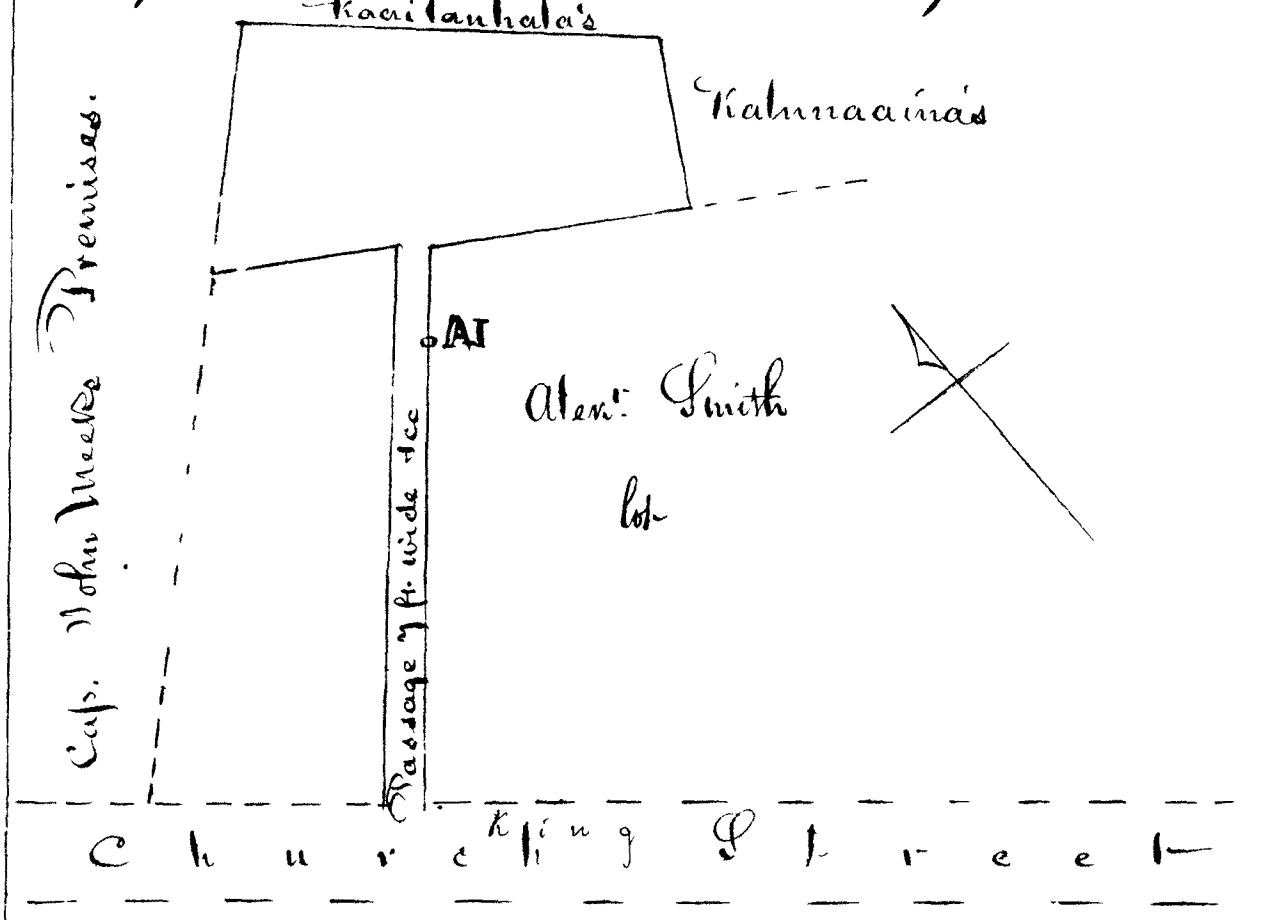
We do therefore award to the Claimant Stephen Reynolds, a Freehold Estate less than allodial in said lot, upon the condition mentioned in the aforesaid agreement between the Claimant and Robinson. But in case the said Stephen Reynolds shall Commute the above awarded Freehold Estate into an estate in fee-simple, then he shall not be compelled to convey the same to the children of John Robinson, unless he is paid all the expences

attending such Commutation; in addition to the before-mentioned Sum of Eighty Nine dollars with Interest.

The correct Metes and bounds of this lot are contained in the following Survey made by T. Metcalf on 28th of January 1848.

"Notes of the "John Robinson lot" in Honolulu —" Commencing at Church St. at Makai W. corner of the Alex.r Smith lot at foot of passage 7 ft. wide leading to this lot — and Running N. 50°. E. 98 8/12 ft. along Passage to N. corner of the Alex.r Smith lot — Thence S. 49°. E. 44 7/12 ft. along the Alex.r Smith lot to Kalunaaina's lot at S. Corner of this; Thence N. 38°. 45' E. 29 8/12 ft. to E. corner of this lot —, Thence N. 39°. W. 41 ft. along Kaailauhala's lot to Slight angle in wall. Thence N. 34°. 45' W. 31 ft. to Capt. John Meek's dwelling house lot at Mauka N. corner of this — Thence S. 56°. 45' W. 45 ft. along Capt. J. Meek's lot to Makai W. Corner of this; Thence S. 49°. E. 39 3/12 ft. to Passage way — Containing an area of — Fathoms 77 — Feet 31.

Jan.y 28 1848. T. Metcalf Sur.



The width from Church St. to point marked AI in diagram is 80 ft..

Board of Commissioners for Land Claims
Adjudication of Cl. N. 632. Stephen Reynolds Dr.

To	Incidental Expences of Commission in Land Claim		1	
"	Action of Commrs in this Claim on 15 Dec.	1848	1	
"	Citation and ds. deposd		1	
"	Testimony recd and Engd on		2	50
"	Survey of this lot by Shelcalf engrossed		6	
"	Report of Commissioners this day rendered on the above Claim		5	
			16	50

Kate Kamoku
1 November 1848

William L. Lee
J H Smith
Iaoanedi
M. Kamakau
Y. Kaauwai

Helu 331 Apoia Kahula

Ua koi mai oia no kona mau kuleana pahale elua, aia ma Paunau i Lahaina, he mau wahi kula ua loaa ia ia i ka wa o Kaahumanu I; ua noho no oia ma keia mau wahi a hiki mai nei i keia wa. Ua ko makou nana ana i ka na hoike olelo ana. Nolaila ua akaka nona no ia mau wahi.
Penei na palena

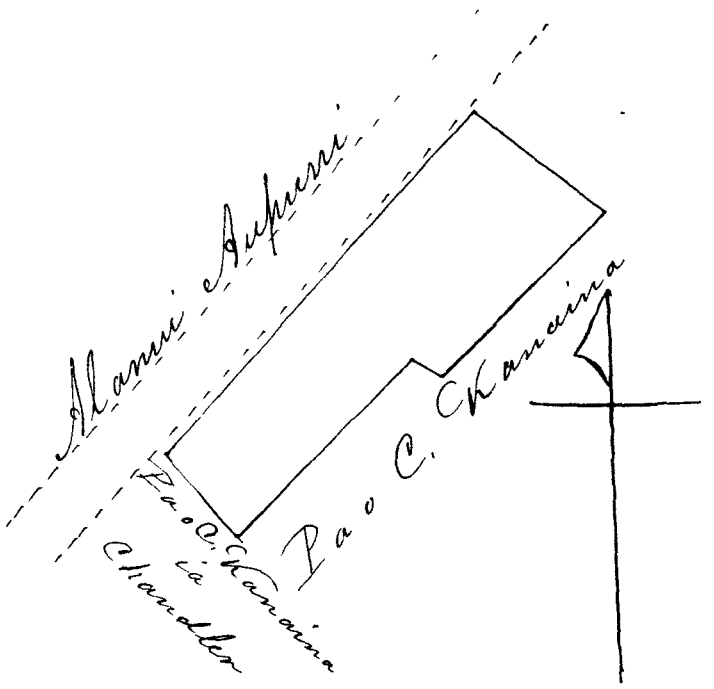
Anaia e John Richardson

Apana I.

Ke kii o ka pahale o Kahula ma Paunau i Lahaina Mokupuni o Maui, aia koi keia pa ma ka Hema iho o ke Alanui Aupuni e pii ai i Lahainaluna, ma ka Akau iho o ka pa o C. Kanaina ia Hoaai ma.

E moe ana ka aoao mua H. 51° K. 2 Kaulahao 42 8/12 Kap. kuli A. 43° K. 10 8/12 Kap. kuli H. 42° 30' K. 2 Kaulahao 3 4/12 Kap. o ka pa o C. Kanaina ia Hoaai ma ke pili mai ana ma ia aoao, a hiki i ka pa o C. Kanaina ia Chandler, kuli

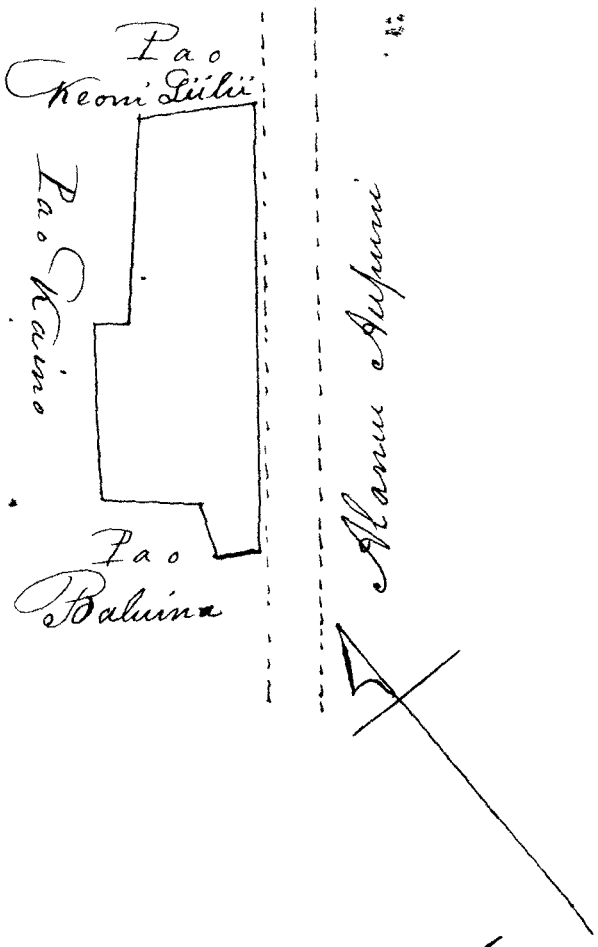
A. 43° 40' K. 57 4/12 Kap. a hiki i ke Alanui Aupuni, huli A. 40° 20' Hi. 5 Kaulahao 4 Kap. holo aku no keia aoao, ma ka aoao Hema o ke Alanui Aupuni e pii ai i Lahainaluna, alaila huli i kahi i hoomaka ai i A 46° Hi 1 Kaulahao 47 4/12 Kap. Eia hoi ka ili maloko. 2 Puda. 24 Roda



Apana 2.

Ke kii o ka pahale o Kahula ma Paonau i Lahaina Mokupuni Maui, aia hoi keia pa ma ka Akau o ke Alanui Aupuni e pii ai i Lahainaluna, ma ka Hikina o ka pa o Baluina.

E hoomaka ana ma ka aoao Akau o ke Alanui Aupuni e pii ai i Lahainaluna, e pili ana hoi ia waho i ko Baluina pa, a moe aku ka aoao mua A. 53° 30' K. 22 Kap. huli A. 34° 30' Hi. 33 4/12 Kap. huli A. 48° K. 61 4/12 Kap. o ko Baluina pa ke pili mai ana ma keia mau aoao, oia hoi ka aoao makai o keia pa, a hiki i ka pa o Kaino, huli A. 38° 30' Hi. 1 Kaulahao 54 Kap. a hiki i kahi kekeo ka pa o Kaino, huli A. 46° Hi. 16 Kap. a hiki hou no i kekahi waho kekee o ka pa o Kaino, huli A 48° 30' Hi 2 Kaulahao 14 8/12 Kap. huli A 55° 30' Hi. 1 Kaulahao, 10 Kap. a hiki i ke Alanui Aupuni e pii ai i Lahainaluna, alaila huli i kahi i hoomaka ai i A. 40° 10' K. 4 Kaulahao 47 4/12 Kap. E ia hoi ka ili maloko. 2 Puda. 19 Roda.



Oia ka makou e hoohe nei no K. Kahula, he kuleana nui
koi kona malalo o ke ano Alodio. Ina uku mai oia i ko'ke
Aupuni mau kapaha elua, alaila; ua kupono ia ia ka
palapala Sila nui, ano Alodio.

Pono ia ia ke uku mai no ka hookolokolo, a me ka
hoohalo ana i ka olelo, penei;

No ka rumi a me ke pai ana i ka olelo ma ka Nupepa.		1	
No ke kope ana i ka olelo koina	1		50
No ka palapala kii			50
No ka hana ana i ka la 8 o Jan. 1848		1	
No ke kope ana i ka olelo a na hoike 2 auao		1	50
No ke ana ana i ka aina i ka la 31 Dek. 1846. a me ka la 1 o Januari 1847	2	5	
No ke kope ana o ke ana ana		3	
No ka hoohalo ana i ka olelo — Aperila 13, 1849		2	50
		15	

W. L. Lee
Kamaaina

W. Kanuai

434

Helu 350. Kamaikaaloa ✓ Kuhua Lahaina

See Vol 9 P. 70 for Award

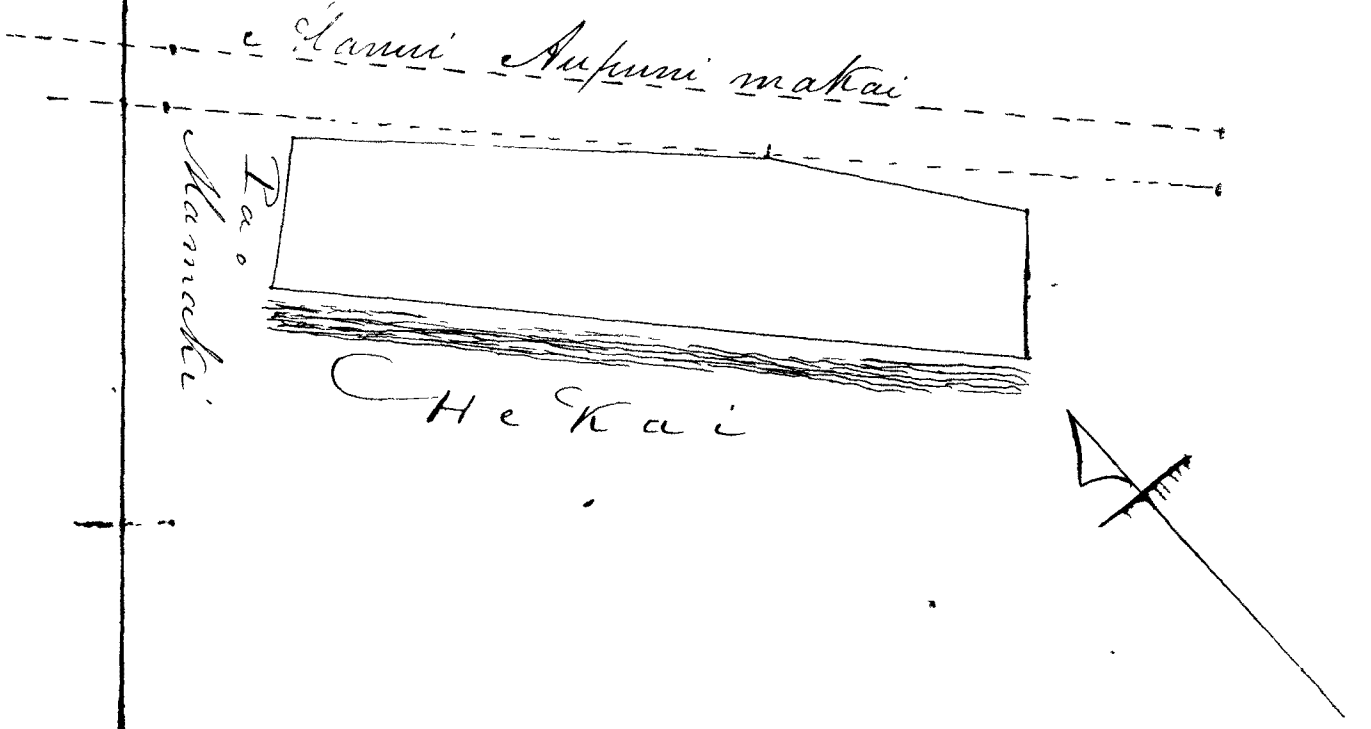
Ua koi mai oia no kona wahi ma Lahaina, ua loaa ia ia ma ka M. A. 1841, he wahi kaawale keia na ke Kuhina Kalaiaina mua ia ia a hiki i keia wa. Pela mai na hoike.

No ia mea ua akaka ia makou nona no keia wahi ana e koi mai nei. Penei na palena

Aaaia e Polm Richardson

Ke kii o ka pahale o Kamaikaaloa ma Kuhua i Lahaina Mokupuni o Maui, ua pili mai ka aoao mauka o keia pa i ke Alanui Aupuni makai, a o ka aoao hoi makai ua pili aku i ke kai.

E hoomaka ana ma kahakai, a moe aku ka aoao mua A. 44° Hi. 42½ Kap. a hiki i ka lihi makai o ke Alanui Aupuni; huli A. 43° 30' K. 1 Kaulahao 27½ Kap. a hiki i kahi anakee o keia pa, e pili ana no i ke Alanui Aupuni; huli A. 50° 30' K. 2 Kaulahao 33½ Kap. a hiki i ka pa o Namaki; huli A. 41° 30' K. 53½ Kap. a hiki i ka lihi kai, alaila huli i kahi i hoomaka'i A 48° Hi. 4 Kaulahao, e holo ana keia aoao ma ka lihi kai. Eia hoi ka ili maloko. 1 Ruda. 14 Roda.



C Hua ka. ka makua e hoohe nei no Kamaikaalua, he kuleana nui kona malalo o ke ano Aloha Aina ukuu i ua e Ko ke Aupuni hapaha, alaila ua kupono ia ia ka palapala Sila mua ana e Hoolio.

Pono nae ia ia ke ukuu mai no ka hoikaika ole, a me ka hoohalo ana e ka olelo pono,

No ka nui a me ke pai ana e ka olelo ana ka Aupapa —	$ 1	
No ke kope ana i na olelo kuna 2 aoao	1	
No ka palapala hui		50
No ka hana ana i ka la 11 o Jan 1847	1	
No ke kope ana e ka olelo a na hoike 2 aoao	1	50
No ke una ana i ka aina 7 Jan. 1847	2	50
No ke kope o ke ana ana	1	
No ka hoohalo ana e ka olelo Aprila 13. 1849	2	50
	11	

W. L. Lee Notary Public

Atto — Cancelled

This Claim is Awarded to Claimant in Page 70 Vol 9 — J. H. Smith Sec. Aug 19th 1853.

Helu 411 Poomii ✓

Ua koi mai nei oia no kona pakaki ma Waikapu e Maui e, he wahi wahie wale kua mumua lia o ke kanaka o na kanawai, a i ka M. H. 1843 ua noho oia malaila a hiki i kua wa. Penei ma Palena

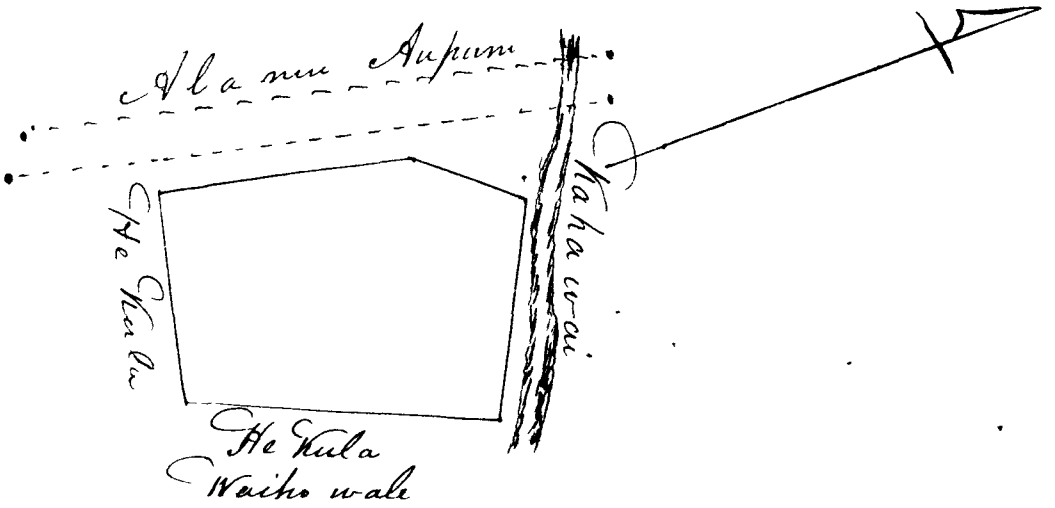
Ahupua e Kuchardsons

Ke kii o ka pa o Poomii ma Kaumuhee i Waikapu Mokupuni o Maui, aia koi ma ka Hikina o ke Alanui e Kumu, ma ka Hema koi o ke Kahawai

E hoomaka ana ma ke kae o ka pule ke kuamau, a moe aku ka aoao mua He 38° Ko 2 Kaulahao 4 8/12 Kap hulu He 15° Ko 5 Kaulahao 8 8/12 Kap. hiki He 75° Hi. 4 Kaulahao 311 Kap hulu. A. 25° Hi 6 Kaulahao 115 4/12 Kap. a hiki i ka pali kahawai, alaila hulu i kahi e hoomaka ai A. 69° Ko 4 Kaulahao 111 8/12 Kap Eia kekahi mea maloko

436

3 Ka. 2 Puda 5 Roda.



O Kua no hoi ka makou e hoohe nei no Poomii he kuleana hoi kona malalo o ke ano Alodio. Ona ukii mai ia i ko ke Aupuni hapaha, alaila ua kupono ia ia ka palapala Sila nui ano Alodio.

Pono nae ia ia ke ukii mai no ka hookolokolo, a me ka hoohalo ana i ka olelo, penei;

No ka nui a me ke poe ana i ka olelo; ma ka Mupepa		1
No ke kope ana i na olelo kuma 1 aoao		50
No ka palapala hui		50
No ka hana ana i ka la 5 o Feb. 1847		1
No ke kope ana i ka olelo a na hoike 4 aoao		3
No ke ana ana i ka aina i ka la		2 50
No ke kope o ke ana ana		1
No ka hoohalo ana i ka olelo i Iperila 13. 1849		2 50
		12

W. L. Lee
W. Kamakau
Y. Kuaiwai

Joane di

Helu 408 Manu ✓

Na ke koi ana mai o ia nei i kona aina ma Pohakuloa Waikapu Maui, no ke Aupuni ia wahi, a no kona hoolimalima ana ia wahi; ua loaa ia ia keia aina ma ka hoolimalima ana. Penei na palena.

Anaia e John Richardson

Ke kii o ka aina Aupuni ia Manu, aia ma Pohakuloa i Waikapu Mokupuni o Maui. E ia hoi na palena. Akau. o Puhiawaawa. Hi. Aina o Kimo o L. Hema. o Palailaiha. Kom. o Auwae.

E hoomaka ana ma kahi alanui olole mai Haanui mai; ma ka aoao hoi makai o kahi i koe ia Auwae e pili ana ia wahi i Palailaiha, a moe aku ka aoao mua A. 7° Hi. 2 Kaulahao 4 Kap. huli A. 44° 30' Hi. 1 Kaulahao 33 4/12 Kap. huli A. 12° 30' Hi. 2 Kaulahao, huli A. 51° 10' Hi. 3 Kaulahao 5 4/12 Kap. e pili mai ana no o Puhiawaawa ia aoao, huli A. 89° 30' Hi. 14 Kaulahao 19 4/12 Kap. e pili mai ana no o Puhiawaawa ia aoao, a hiki i ka aina o Kimo L. mauka mai nae o ka auwai, huli H. 10° K. 8 Kaulahao, oia ka aoao makai o keia aina, alaila huli i kahi i hoomaka'i A. 89° K. 17 Kaulahao 14 Kap. Eia hoi ka ili malolo 11 Eka. 3 Ruda.

No William Humphreys kekahi mau loi maloko o keia aina, aole no ke Aupuni ia mau loi, no William Humphreys no, ua pili aku ia mau loi i Puhiawaawa

Oia ka makou e hooko nei no Manu ma ke ano hoolimalima. Ina uku mai oia i ko ke Aupuni hapakolu akahi alaila ua kupono ia ia ka palapala Sila nui Alodio.

Pono nae ia ia ke uku mai no ka hookolokolo a ine ka hoohoka ana i ka olelo, penei;

No ka nuoni a me ke pai ana i ka olelo, ma ka Mupepa. ——

No ke kope ana i na olelo keina 1 aoao

No ka palapala Kii

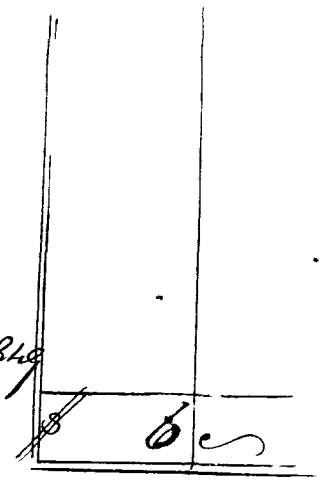
E mana i kela aoao

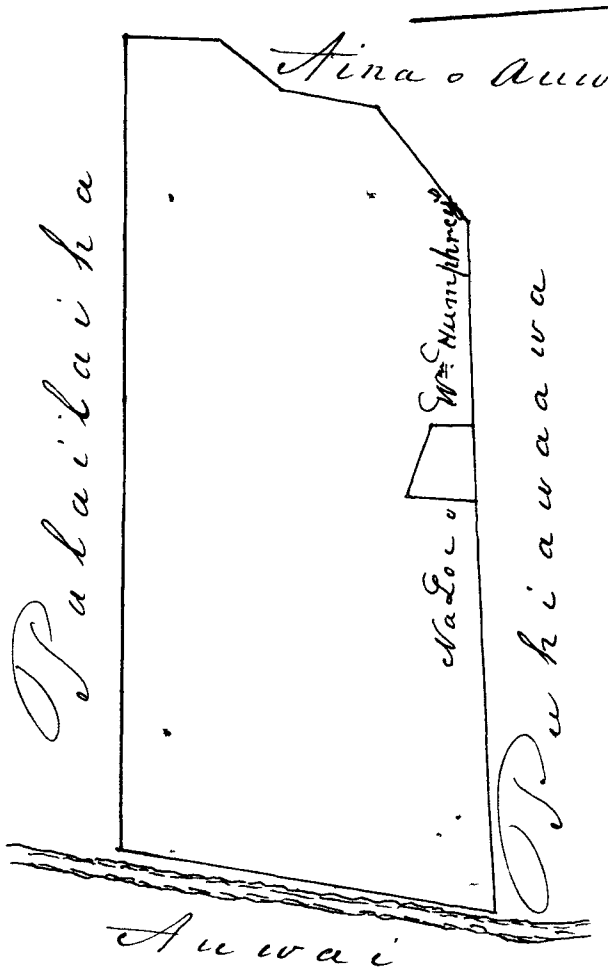
438

Mau kela aoao mai
No ka hana ana i ka la 5 Feb. 1847
No ke kope ana i ka olelo a na hoike 1 aoao
No ke ana ana i ka aina i ka la
No ke kope o ke ana ana
No ka hoohalo ana i ka olelo 13 Aperila 1848

W. L. Lee
L. H. Kamakau
Z. Kamauai

Wm Pau
Hana Li



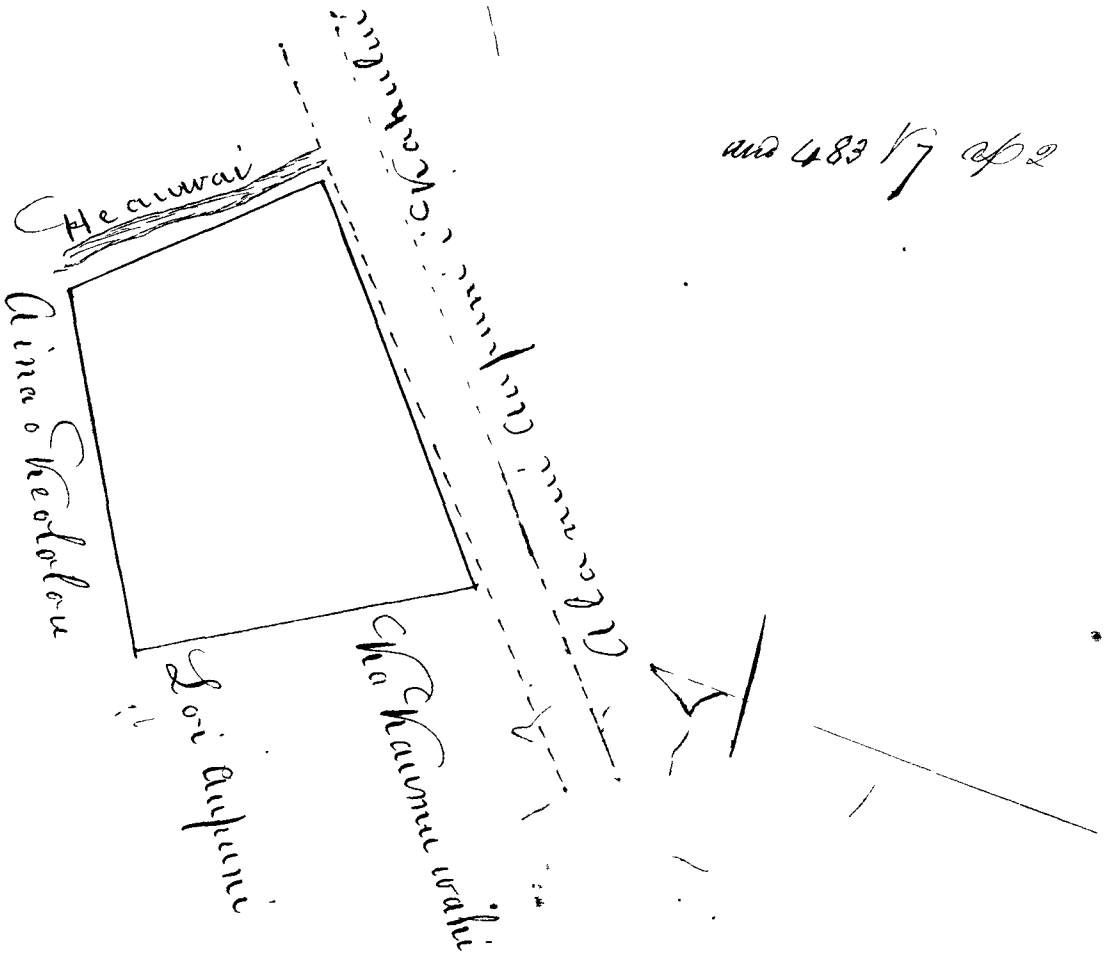


Helu 441 Apiki

Ua koi mai nei oia no kona aina ma Wailuku i Maui, ua loaa ia ia keia wahi mamua o ke Kau ana o na Kanawai ma ka M. H. 1835, ua noho no oia ma keia wahi, a hiki i keia wa Pewei na palena

Araia e John Richardson

Ke kii o kahi aina o Apiki i Wailuku Mokupuni o Maui, ma Walaula. Pii a na palena. Akau. Aina o Keolokou, Hikina. He auwai. Hema. Alanui Aupuni e holo ana i Kahului. Komohana. Ko Kaumu wahi, a me ka loi Aupuni. E hoomaka ana ma ka auwai Akau o ke Alanui Aupuni e holo ana i Kahului, e pili ana i hoi ia wahi i ka auwai makai o ko Kaumu wahi, a moe aku ka auwai mua. A. 28° 30' K. 3 Kaulahao 50 Kap. oia ka auwai mauka o keia wahi aina e pili ana hoi ia auwai i ko Kaumu wahi, a me ka loi Aupuni, huli A. 60° 30' Hi. 3 Kaulahao 55 4/12 Kap. e pili ana ia auwai i ka aina o Keolokou, huli A. 43° 40' Hi. 2 Kaulahao 62 Kap. oia hoi ka auwai makai o keia aina, a hiki i ke Alanui Aupuni e holo ana i Kahului, alaila huli i kahi i hoomaka i' A. 49° 30' K. 4 Kaulahao 47 4/12 Kap. Pii hoi ka ili maloko. 1 Ek. 1 Rud 28 Rod.



and 483 1/7 sp 2

Oia ka makou e hooko nei no Apiki ke kuleana hoi kona malalo o ke ano Alodio, Ina uku mai ova i ko ke Aupuni kapaha, alaila ua kupono ia ia ka palapala Sila nui ano Alodio.

afterwards made attorney in law all and of the 3 Cities

Pono nae ia ia ke uku mai no ka hookolokolo, a me ka hoohola ana i ka oleli penei;

No ka nui a me ke pai ana i ka oleli ma ka Rupeka 1 ——

No ke Kope ana i na olelo kuia 1 ova

E mana i kela ova

$ 1
.50
1 50

Mai kela aoao mai	1	50
No ka palapala kii		50
No ka hana ana i ka la 11 Feb. 1847	1	
No ke kope ana i ka olelo a na hoike 2 aoao	1	50
No ke ana ana i ka aina i ka la	2	50
No ke kope o ke ana ana	1	
No ka hoohalo ana i ka olelo Aperila 13 1849	2	50
	10	50

W. L. Lee
Lik. Komakaai
U. Kaumaiai

Joane Ii

Helu 395 Kahikona

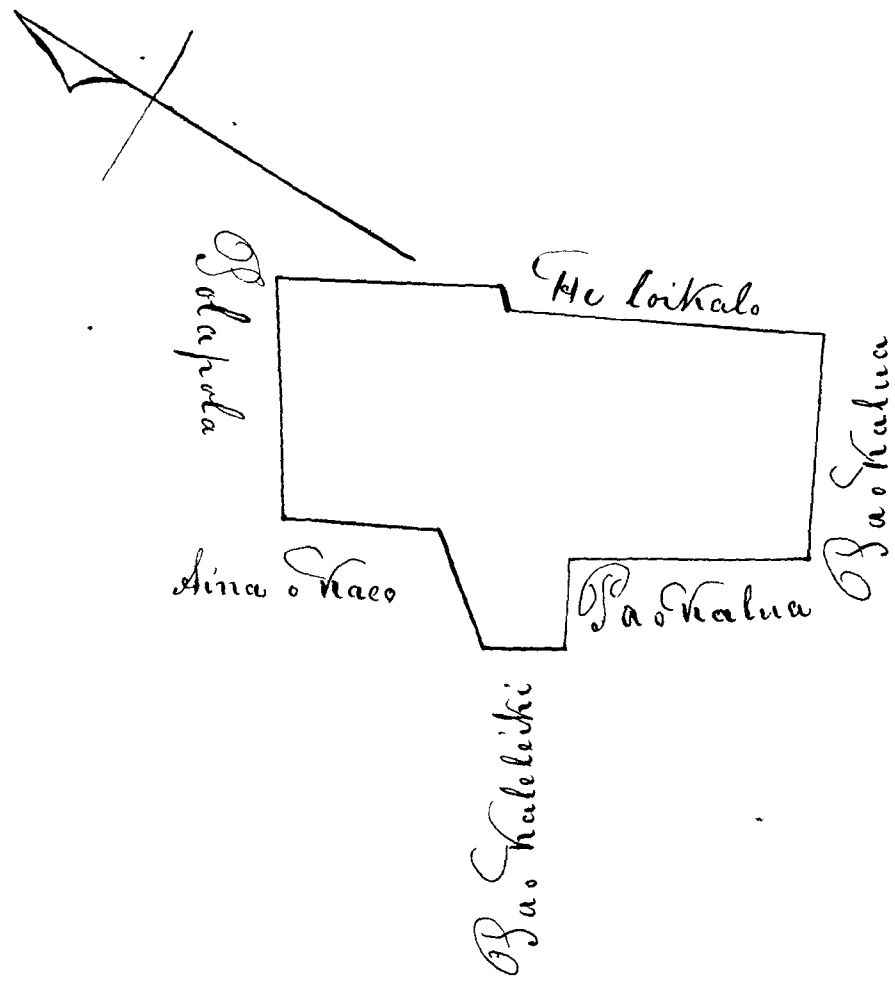
No ke kii ana mai o ia nei no kona pahale ma Kuakoo i Lahaina, he wahi kona na loaa ia ia mamua loa o ke kau ana o na kanawai i ka M. H. 1828, a ua noho oia nei mailaila mai a hiki i keia manawa. Nolaila na maopopo keia i ko makou nana ana. Penei nae na palena.

Anaia e John Richardson

Ke kii o ka pahale o Kahikona ma Waianae, a me Kuakoo i Lahaina Mokupuni o Maui. Eia na palena. Akau he aina o Polapola ka inoa. Hikina. aina o Kaleleiki. Hema. Pa o Kalua. Komohana. Pa o Kalua, a me ko Kaleleiki, a me ko Kaeo.

E hoomaka ana ma ke kihi Komohana Akau o keia-hi loikalo nui, ma ka aoao mauka. o keia pa, a moe aku ka aoao mua A. 68° Hi. 12 Kap. huli A. 25° K. 2 Kaulahao 30 8/12 Kap. e pili aku ana ia aoao i ka aina o Kaleleiki, huli A. 56° K. 2 Kaulahao 28 8/12 Kap. o Polapola ka aina e pili mai ana ia aoao huli A. 24° 30' Hi. 1 Kaulahao 40 8/12 Kap. huli A. 42° 30' K. 1 Kaulahao 32 Kap. no. Kaeo kahi e pili mai ana ia aoao, huli A. 31° 30' Hi. 64 Kap. e pili ana ia aoao i ka pa o Kaleleiki, a hiki i ka pa o Kalua, huli A. 62° Hi. 1 Kau-

Lahau 5 4/12 Kap. a huki i ka ava o mauka o ka pa o Kalua, huli
H 30° Hi 2 Kaulahao 33 4/12 Kap. huli A. 61° 30' Hi. 2 Kaulahao
28 8/12 Kap. no Kalua no ka pa e pili mau ana ia ava, alaila;
huli i kahi i homaka'i A. 26' H. 3 Kaulahao 32 Kap. Eia
hoi ka ili maloko. 1 Eka. 2 Ruda. 8 Roda.



Eia ka makou e hooho nei no Kahikona he kuleana kona
malalo o ke ano Alodio. Ina uku mai oia i ko ke Aupuni
hapaha, alaila ua kupono ia ia ka palapala Sila Nui,
ano Alodio

Pono nae ia ia ke uku mai no ka hookolokolo, a me
ka hoohololo ana i ka olelo, penei;

No ka rumi a me ke pai ana i ka olelo ma ka Nupepa —	1	
No ke kope ana i na olelo koina 1 aoao		50
No ka palapala kii		50
No ka hana ana i ka la 16 Feb. 1847	1	
No ke kope ana i ka olelo a na hoike 2 aoao	1	50
No ke ana ana i ka aina	2	50
No ke kope o ke ana ana	1	
No ka hoohololo ana i ka olelo Honolulu, 13 7/1849	2	50
	10	50

W. L Lee
Paaea Ii
W. C. Kanaka'ole
U. Kaauwai

442

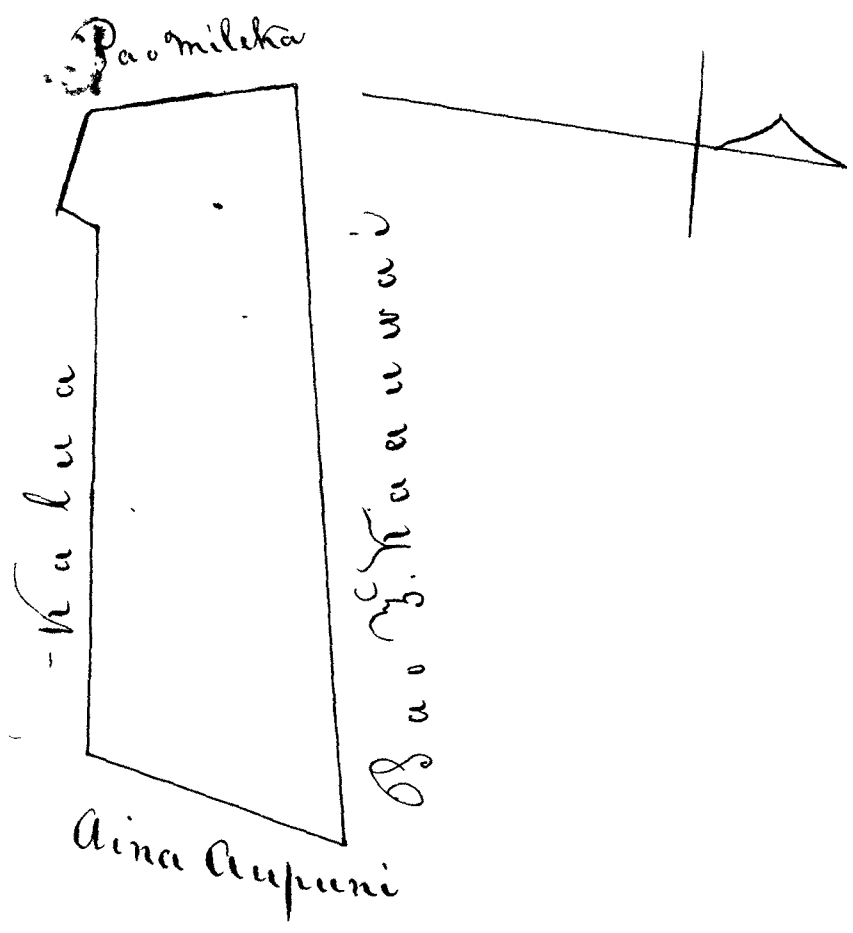
Helu 405 Kaili

Ua koi mai nei kela no kona wahi kuleana aia ma Wailuku i Maui, he wahi kula ua loaa i kona kaikuaana ia Batamia, i ka M. H. 1838 ka loaa ana ia ia, a mamua o kona make ana ma ka M. H. 1843. Ua kauoha mai oia no Kaili kela wahi, a me na wahi e ae i loaa i kona kaikuaana. Eia na palena.

Anaia e John Richardson

Ke kii o ka pahale o Kaili ma Kapaaiki i Wailuku. Mokupuni o Maui, ma ka Hema iho o ka pa o Z. Kaauwai, ma ka Hikina koi o ka pa o Mileka.

E hoomaka ana ma ka aoao Hema o ka pa o Z. Kaauwai, a moe aku ka aoao mua H. 15° 30' Hi. 4 Kaulahao 17 4/12 Kap. huli H. 79° 40' Hi. 2 Kaulahao 8/12 Kap. huli A. 10° 30' Hi. 42 Kap. huli A. 84° 30' Hi. 11 Kaulahao 6 Kap. o Kalua ka aina e pili mai ana ia aoao, a hiki i ka aina Aupuni, huli A 15° 30' Hi. 5 Kaulahao 47 4/12 Kap. oia ka aoao makai o kela pa, a hiki i ka pa o Z. Kaauwai. huli i kahi i hoomaka'i H. 79° 30' Kom. 15 Kaulahao 63 4/12 Kap. Eia koi ka ili maloko. 5 Eka. 3 Ruda. 10 Roda.



Oia ka makou e hoohe nei no Kaile, he hulelua hoi kona malalo o ke ano Alodio. Ina uku mai oia i ko ke Aupuni hapaha, alaila ua kupono ia ia ka palapala Sila Nui, ano Alodio

Pono nae ia ia ke uku mai no ka hoohololoholo, a me ka hoohola ana i ka olelo, penei,

No ka nuna a me ke pae ana i ka olelo ma ka Nupepa	1	
No ke kope ana i ua olelo konia 1 auao		50
No ka palapala hii		50
No ka hana i ka la 13 o Jan. 1847	1	
No ke kope ana i ka olelo a na hoike 6 aoao	2	25
No ke ana ana i ka aina	2	25
No ke kope o ke ana ana	1	
No ka hoohola ana i ka olelo Apelila 13. 1849	2	50
W. L. Lee Konohiki		
Wm. H. Kanakaa.	11	
Y. Kaaumoi		

Helu 404. Kaupa

Ua koi mdu oia nei no kona pahale, aia ma Wailuku i Maui, he wahi kula ua loaa ia ia mamua o ke kau ana o na kanawai, ma ka olelo a na hoike, ua loaa ua wahi nei ia ia i ka M. H. 1838 ka noho ana a kela ua. Penei na palena.

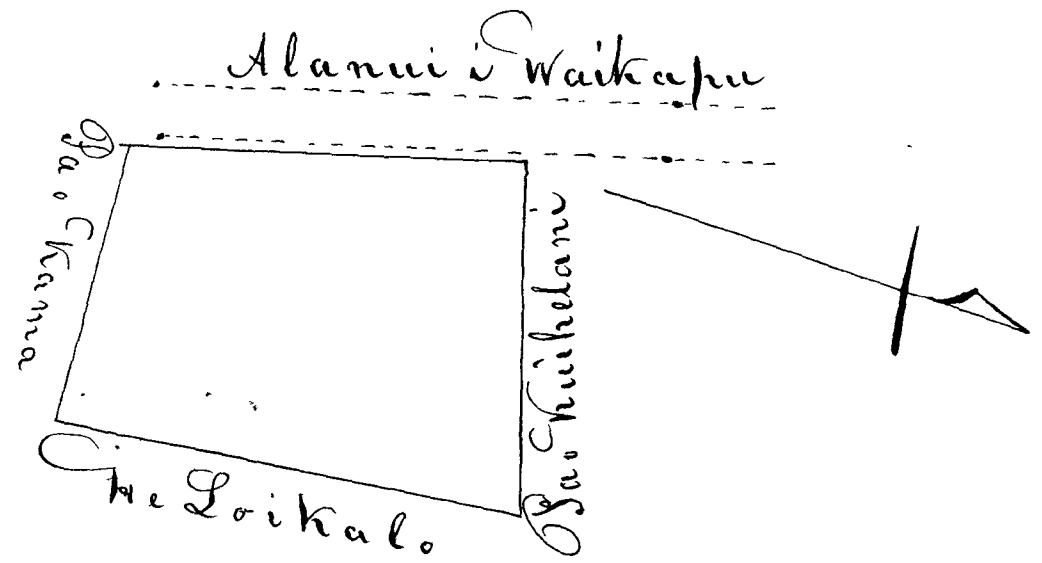
Anaia e John Richardson

Ke kii o ka pahale o Kaupa ma Wailuku Mokupuni o Maui, aia ma ka Hikina o ke Alanui Aupuni e holo ana i Waikapu, ma ka Hema iho o ka pa o Kuihelani.

E hoomaka ana ma ka aoao makai o ke Alanui e holo ana i Waikapu e pili ana no ia wahi i ka pa o Kuihelani, a hoe aku ka aoao mua, H. 15° Hi. 4 Kaulahao 13 4/12 Kap. huli A. 86° 45' Hi. 3 Kaulahao, e pili mai ana ka pa o Kama ia aoao, huli A. 5° 30' K. 5 Kaulahao 3 4/12 Kap. he loikalo nui

4444

ke pili mai ana ia aoao, a hiki i ka pa o Kuihelani, alaila huli i kahi i hoomaka'i H. 1/2° K. 3 Kaulahao 54 Rap
Eia hoi ka ili maloko. 1 Eka, 2 Puda. 13 Poda.



O keia ka makou e hooko nei no Kaupa he kuleana kona malalo o ke ano Alodio. Ina uku mai oia i ko ke Aupuni hapaha, alaila ua kupono ia ia ka palapala Sila Nui ano Alodio.

Pono nae ia ia ke uku mai no ka hookolokolo, a me ka hoohola ana i ka olelo, penei;

	$	
No ka nuni a me ke kakau ana i ka olelo ma ka Nupepa	1	
No ka palapala hui		50
No ke kope ana i na olelo koina 1 aoao		50
No ka hana ana i ka la 13 Jan. 1847	1	
No ke kope ana i ka olelo a na hoike 2 aoao	1	50
No ke ana ana i ka aina	2	50
No ke kope o ke ana ana	1	
No ka hoohola ana i ka olelo Aperila 13 1849	2	50
	10.	50

W. L. Lee
S. M. Kamakau
V. Kauwaki

Francis

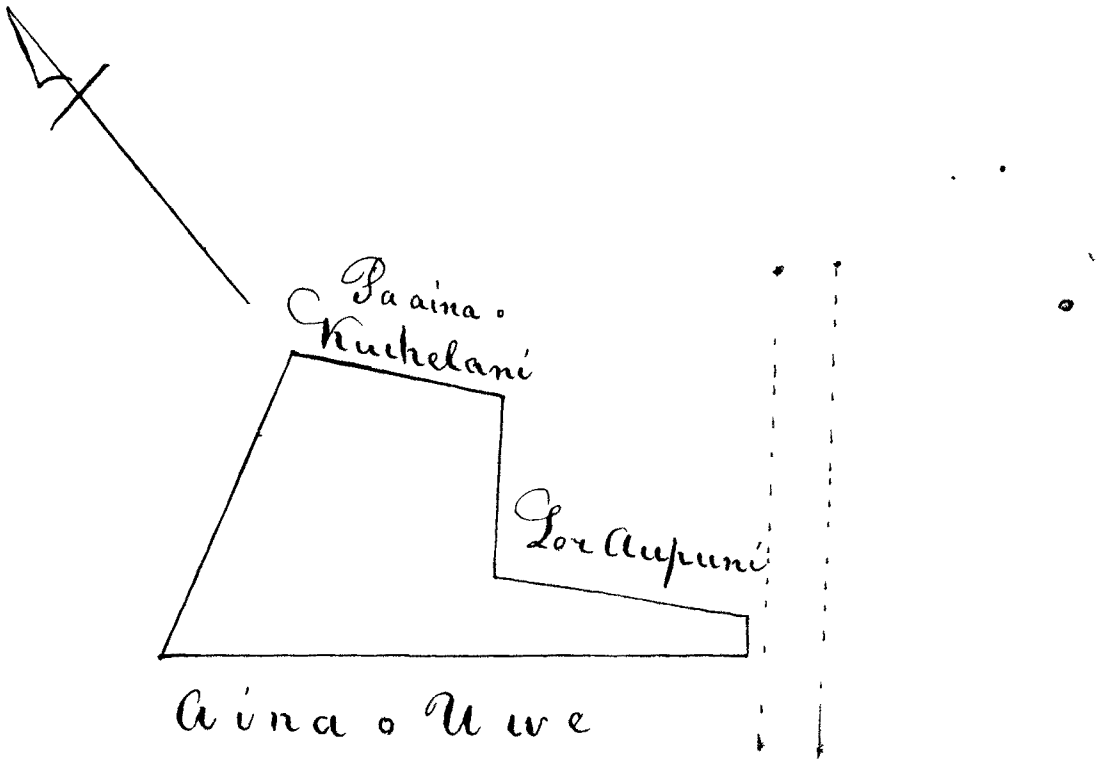
Helu 414 Mecau

Ua koi mau koa keia no kona wahi, aia ma Waiuku i Maui. He kuleana keia na loaa kakiko loa mau a Nuuanu mai, ua noho no nae ua Macau nei ma keia wahi mamua o ke Kauoana o na Kanawai mau ka M. H. 1837, pela mai na koike. Penei nae na Palena

Aoaia e Dohn Richardson

Ke kii o ka pa o Mecau ma Halaula i Waiuku Mokupuni o Maui, aia koa keia wahi ma ka Akau o ke Alanui Aupuni e holo ana i Kahului, ma ka aoao Hikina o ka aina o Uwe, ma ke Komokana koi o ka pa aina o Kuikelani.

E hoomaka ana ma ka Hema o kona mau loi kalo e pili ana i ka pa aina o Kuikelani, a moe aku ka aoao mua, H 35° 30' Hi. 2 Kaulahao 8 8/12 Kap. huli H. 30° K. 2 Kaalahao a hiki i ka aoao mauka o kekahi loi Aupuni, huli H. 36° 30' Hi. 2 Kaulahao 53 4/12 Kap. e holo ana ia aoao mauka oia loi Aupuni, a hiki i ke Alanui e holo ana i Kahului, huli H. 47° 30' K. 24 Kap. huli H. 47° 30' K. 6 Kaulahao 8 8/12 Kap. e pili mai ana ka aina o Uwe ma ia aoao, oia koi ka aoao mauka o keia wahi, alaila huli e Kahi i hoomaka i H. 69° Hi. 3 Kaulahao 35 4/12 Kap. Eia koa ka ili maloko. 1 Eka, 4 Roda.



Oia hoi ka makou e hooko nei no Mecau, he kuleana kona malalo o ke ano Alodio. Ina uku mai oia i ko ke Aupuni hapaha, alaila kupono ia ka palapala Sila mai ano Alodio.

Pono nae ia ia ke uku mai no ka hookolokolo, a me ka hooholo ana i ka olelo, penei;

No ka nunu a me ke pai ana i ka olelo ma ka Nupepa —		1
A o ke kope ana i na olelo koina	4⅓	1
No ka palapala kii		50
No ka hana ana i ka la 5 Feb. 1847		1
No ke kope ana i ka olelo a na hoike 2 aoao		1 50
No ke ana ana i ka aina		2 50
No ke kope o ke ana ana		1
No ka hoohoio ana i ka olelo Aperila 13. 1849		2 50
		11

W. L. Lee
S. M. Kamakau
A. Kamanai

Joane Ii

Helu 333 Kaahanui

Ua koi mai nei oia no kona pahale e noho nei ma Puunoa i Lahaina, he wahi kula ua loaa ia ia i ka wa i hanaia'i ka Papu, mailaila kona noho ana mai a keia wa.

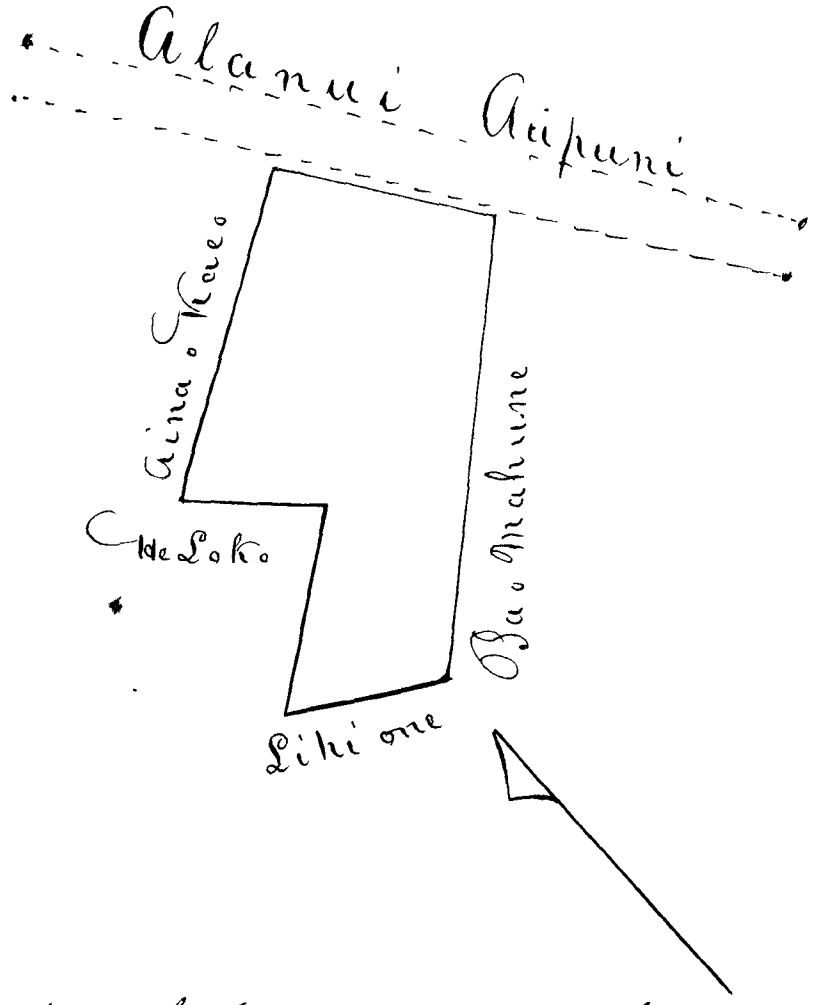
I ko makou nana ana ma ka olelo a na hoike, ua maopopo maoli nona no keia wahi. Penei na Palena.

Anaia e John Richardson

Ke kii o ka pahale o Kaahanui ma Puunoa i Lahaina Mokupuni o Maui.

E hoomaka ana i ke ana ana ma ka lihi one, a moe aku ka aoao mua A. 47° Hi. 5' Kaulahao 5½ Kap. i ka pa o Mahune. Ke pili mai ana ma ia aoao, a hiki i ke Alanui Aupuni makai, huli A. 36° 30' K. 2 Kau-

Lahao 32 Kap hulu H 55° 30' K 3 Kaulahao 42 Kap. e pili mai ana ia awa ka aina o Kaeo, hulu H. 41° 30 Hi 1 Kaulahao 29½ Kap hulu H. 54° K. 2 Kaulahao 4½ Kap a hiki i ka lihi one, alaila hulu i Kahu i hoomaka'i H. 57° Hi 1 Kaulahao 35½ Kap. e holo ana ia awa ma ka lihi one Ela hoi ka ili maloko. 1 Ka. 35 Roda



Oia hoi ka makou e hooko nei nona ia wahi, he kuleana hoi kona malalo o ke ano Alodio. Ina uku mai oia i ko ke Aupuni kapaha, alaila ua kupono ia ia ka palapala Sila Kuu ano Alodio.

Penei nae oia e uku mai ai no ka hookolokolo ana, a me ka hooholo ana i ka olelo penei

No ka nunu a me ke pau ana i ka olelo ma ka Kupepa —

	$	
No ke kope ana i ka olelo kuia 1 awao		50
No ka palapala kii		50
No ka hana ana i ka la 25 Dek 1846	1	
No ke kope ana i ka olelo a na hoike 2 awao	1	75
No ke ana i ka aina i ka la	2	50
E mana i kela awao	7	25

Mau Kela avao mai	7	25
No ke kope o ke ana ana	1	
No ka hoohoio ana i ka olelo Aperila 13. 1849	2	50
	10	75

W. L. Lee Ioane Ii
L. M. Kamakau
J. Kauwiwai

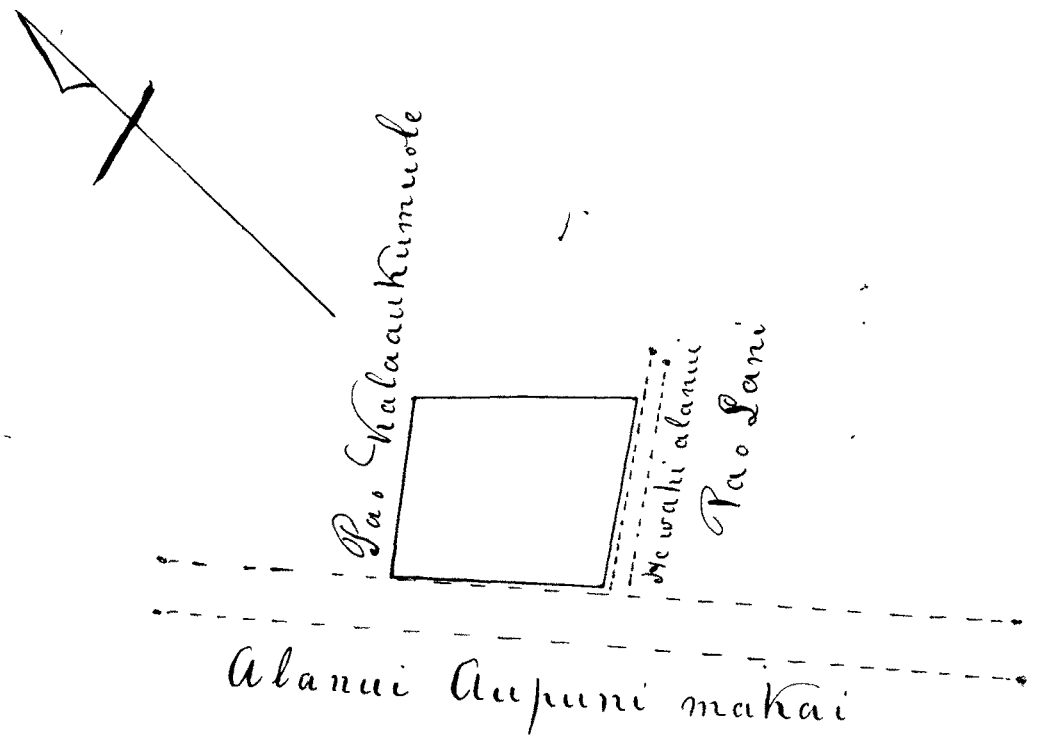
Helu 343 Kahiewalu

Ke koo mai nei keia no kona wahi ma kooka i Lahaina, ua loaa ia ia keia wahi mamua o ke kau ana o na kanawai i ka M. H. 1837, a hiki mai neia wa. Nolaila ua maopopo maoli keia wahi nona- Penei na Palena

Anaia e John Richardson

Ke ku o ka pahale o Kahiewalu ma Molakia i Lahaina Mokupuni o Maui, aia hoi keia pa ma ka avao Hema iho o ka pahale o Kalaaukumuole, e pili ana ka avao makai o keia pa i ke Alanui Aupuni makai.

E hoomaka ana ma ka lihi mauka o ke Alanui Aupuni makai, ona ka avao akau hoi o kahi alanui ololi mawaena o keia pa, a me ka pa o Lani, a mve aku ka avao mua A. 44° K. 1 Kaulahao 2 Kap. a hiki i ka pa o Kalaaukumuole, huli A. 51° Hi. 58 8/12 Kap. e pili ana no ia avao i ka pa o Kalaaukumuole, huli A. 45° 30' Hi. 1 Kaulahao 9 4/12 Kap. a hiki i kahi alanui ololi mawaena o keia pa, a me ka pa o Lani, alaila; huli i kahi i hoomaka'i A. 55° 30' K. 61 4/12 Kap. Eia hoi ka ili maloko. 15 Roda.



Oleia hoo ka makou e hoohoo nei no Kahiewalu, he kuleana kona malalo o ke ano Alodio. Ina uku mai oia i ko ke Aupuni hapaha, alaila na kupono ia ia ka palapala Sila Nui ano Alodio.

Pon nae ia ia ke uku mai no ka hookolokolo ana, a one ka hoohalo ana i ka olelo; penei:

	$	¢
No ka rumi a me ke pai ana i ka olelo ma ka Nupepa —	1	
No ke kope ana i ka olelo kuina 1 auao		50
No ka palapala kii		50
No ka hana ana i ka la 9 Jan. 1847	1	
No ke kope ana i ka olelo a na hoike 2 auao	1	50
No ke ana ana i ka aina	2	50
No ke kope o ke ana ana	1	
No ka hoohalo ana i ka olelo i Aperila 13. 1849	2	50
	10	50

W L. Lee Loanede
L. Ma Kamakau
J. Kamai

1,50

Claim N°80. Mataio Keoki vs John G. Lewis.

This is a claim to a house lot in Honolulu Island of Oahu. From the Evidence taken in this Claim, it appears, that the Claimant became possessed of this lot in the Year 1839, by exchanging another lot for it, with one William Walker: that Walker obtained it many Years before from Kenake, a Native; and that the Claimant has been in peaceable possession of the same ever since the Year 1839.

The Title to this land is clear; but since the hearing of the Claim, the Claimant has died, leaving all his Property to Kamakaepu, his Widow; Kamakaepu has, since Keoki's decease, exchanged the lot in Question, with John G. Lewis, for a lot adjoining; and now Requests that this Award be made out in the name of the said Lewis.

We do therefore Award to the said John G. Lewis, a freehold title less than allodial; or in other words, a Life Estate in said lot, according to the Bounds of the annexed Survey made by J. Richardson; which freehold less than Allodial he may Commute for a fee-simple title as prescribed by Law.

Survey-

"

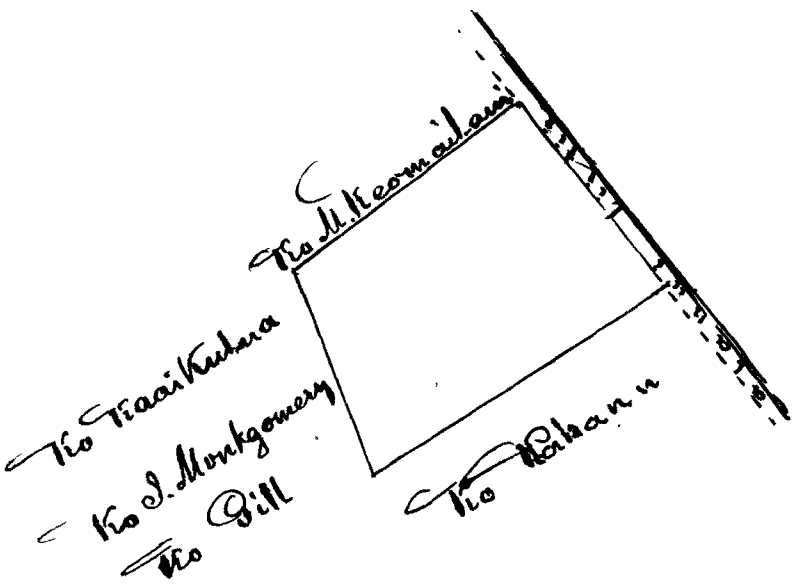
Ke ana o ka pa Hale o Maikaia Keoki ma Honolulu Kulanakauhale.

Koomakaia Ke ana ana ma ke kihi akau o Keiei Wahi, a holo aku la ka aoao muka hema 37° Hikina i Kaulahao 15 10/12 Kapuai, e pili ana i Kahi alanui liilii e hele ai i ka pa o Keonaikani, huli hema 61° 30' Komohana i Kawlahao 58 1/2 Kapuai, e pili ana i ka Kakampa hale huli Akau 15° 30 Komohana i Kaulahao 8 7/12 Kapuai, e pili ana ia aoao i ka Gill & Ko

Isaac Montgomery a One ko Kaaikuku huli, a hoolokou
i ke kihi i Koomakai ke ana ana Akau 56° 30' Kikiina
i Kaulahao 31 8/12 Kapuai, e pili ana i ka pa o Keomailani
ia Kaapuiki, ei Kaili Anaia June 27 1848

Anana 232 } kuea
Kapuai 14 }

G. Richardson



Adjudication of C. 80. John G. Lewis No 1.

To incidental expences of Commission for Claimant		1	
action of Board in this Claim on 2 Sept 1846		1	
Citation for attendance			50
draft deposition of Claim reduced	$3	1	50
draft Testimony reduced & Engrossed 2 Sept:	$1		75
Survey of the lot and Engrossg.		3	50
Report of Commissioners on the above Claim this day rendered		5	.
		13	25

William L. Lee
Joaoki

Honolulu Oahu Sandwich Islands
25 December 1848

J. G. Smith
D. Mc Kamakau
Ws. Kaauwai

Claim No. 807. Andrew Auld

This is a claim to a House lot, situated in Honolulu, Island of Oahu.

From the Evidence taken in this Claim, it appears, that Richard Charlton, some time in the Year 1827, acting by Virtue of a certain Lease of Land from Karaimoku to the said Charlton, for the term of 299 Years, from 5th day of October in the Year 1826, gave to the Claimant this lot of Land as a dwelling place: that the Claimant soon after, built a house upon the lot, and has had undisputed possession of the same ever since.

There is no Evidence before the Board, shewing that this lot formed any part of the land leased by Karaimoku to Charlton, but in the absence of all Testimony upon this point, the Board will, for the purposes of this Award, and upon the express understanding that said Award is not to be taken as a precedent or Authority, in any Case or Question that may now be pending, or that may hereafter arise respecting the land leased by Karaimoku to Charlton, make the most favorable presumption possible in favor of the Claimant; and acting upon Mr. Aulds own statement, consider this lot as forming a parcel of said Leasehold.

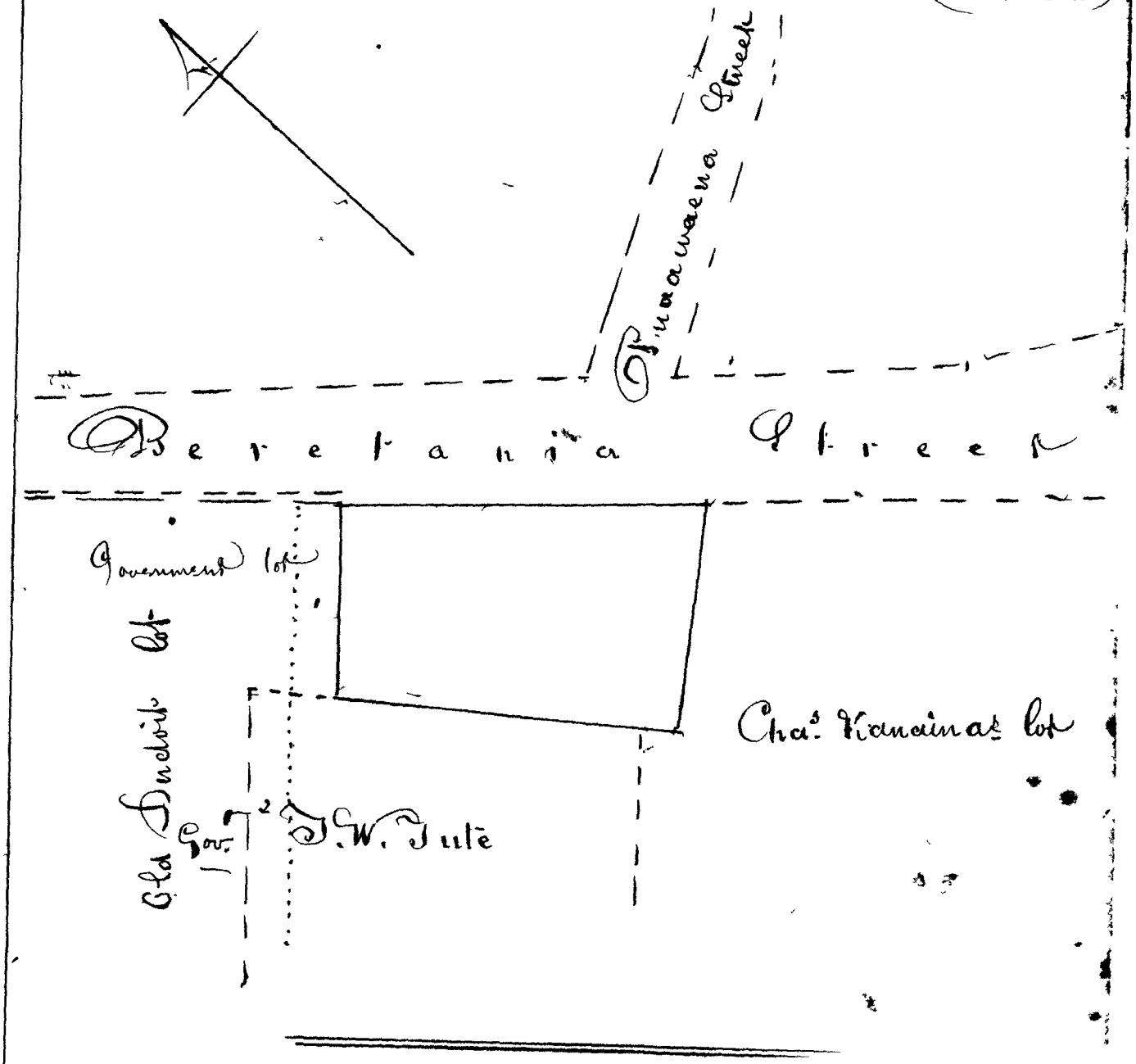
We do therefore award to the Claimant, Andrew Auld, his heirs, executors and Assigns, the lot of land described in the annexed Survey, to have and to hold the same during the term of Two hundred and Ninety nine Years from the Fifth day of October in the Year of our Lord one Thousand Eight hundred & Twenty six, free of all Quit Rents, Fees or Charges, during the above term. But this Award is upon the following express condition, contained in the aforesaid Lease, namely that at the expiration of the aforesaid term the land, with all houses, tenements, Buildings, and Improvements thereon, shall revert to the Sandwich Island Government; without any Cost or Charge on the same.

"Andrew Aulds dwelling house lot"

"Commencing at Mauka E. Corner of this lot, joining lot Claimed by C. Kanaina on Mauka side of Beretania St. and running N. 40° 30 W. 2 Ch. 25 8/12 Lks. along Beretania St. to the old Dudoit lot at mauka N. Corner of this. Thence S. 49° W. 1 Ch. 12 1/2 Lks. along the old Dudoit lot to J. W. Jutes dwelling house lot at Makai W. Corner of this. Thence S. 34° 45 E 2 Ch. 10 7/12 Lks. along J. W. Jutes lot, and to Makai S. Corner of this. Thence N. 57° E. 1 Ch. 31 3/12 Lks. along C. Kanainas lot to place of Commencement including an area of 363 Feet 24 (in) January 5. 1849.

J. Metcalf Sur.

363 Fathoms
(Makalena)



1 Given to Makalea after his purchase of Jutes lot for
No 2 added to Govt. lot in exchange by Makalea

151

Adjudication of Cl № 207. Andrew Auld — 5:

To Incidental expences of Commission &		1	
Action of Board in this Claim on 17 May 1848		1	
Citation for attendance			50
Mast-deposition of Cl. Reduced	$1		75
Mast-Testimony reduced & Engrossed 17 May	$3	2	25
Survey of this lot by T. Metcalf		5	
Engrossing do	$3	1	50
Report of Commissioners this day rendered on the above Claim		5	
		17	

William L. Lee
Honolulu Joanedi
25 December 1848 J. F. Smith
S. M. Kamakau
Y. Kaumuai

Claim № 850 Mary Dominis

This is a claim to a House lot, Situated in Honolulu, Island of Oahu.

From the Evidence taken in this claim, it appears that Richard Charlton, by virtue of a certain Lease of land from Kaiaimoku to said Charlton for the term of 999 years from 5th day of October in the Year 1826, Conveyed this lot, as a part and parcel of said Leasehold Premises, to John Dominis, his heirs & assigns, on 26 day of December, in the Year 1840, for and in Consideration of the sum of Six hundred dollars paid to the said Charlton by the said Dominis; and that the said Dominis has built upon, improved, and by himself and representatives, had peaceable and quiet possession of said lot, from the date of the aforesaid Conveyance, up to the present time.

There is no dispute about this claim, and We do hereby award the aforesaid lot, generally known

as "Washington Place", to John Dominis, his Heirs and Assigns; or in Case he be dead, to Mary Dominis, his Widow, and John O Dominis, his only Son & Child, and to his, her, or their Assigns, to have and to hold the same during the term of Two hundred & Ninety Nine Years, from 5th day of October in the Year of our Lord one thousand Eight hundred & Twenty six, free of all Rent during the above term. But this Award is upon this Express Condition Contained in the aforesaid Lease, namely, that at the Expiration of the aforesaid term of 299 Years, the land, with all houses Tenements, Buildings and Improvements thereon, shall revert to the Sandwich Island Government without any Cost or Charge on the same.

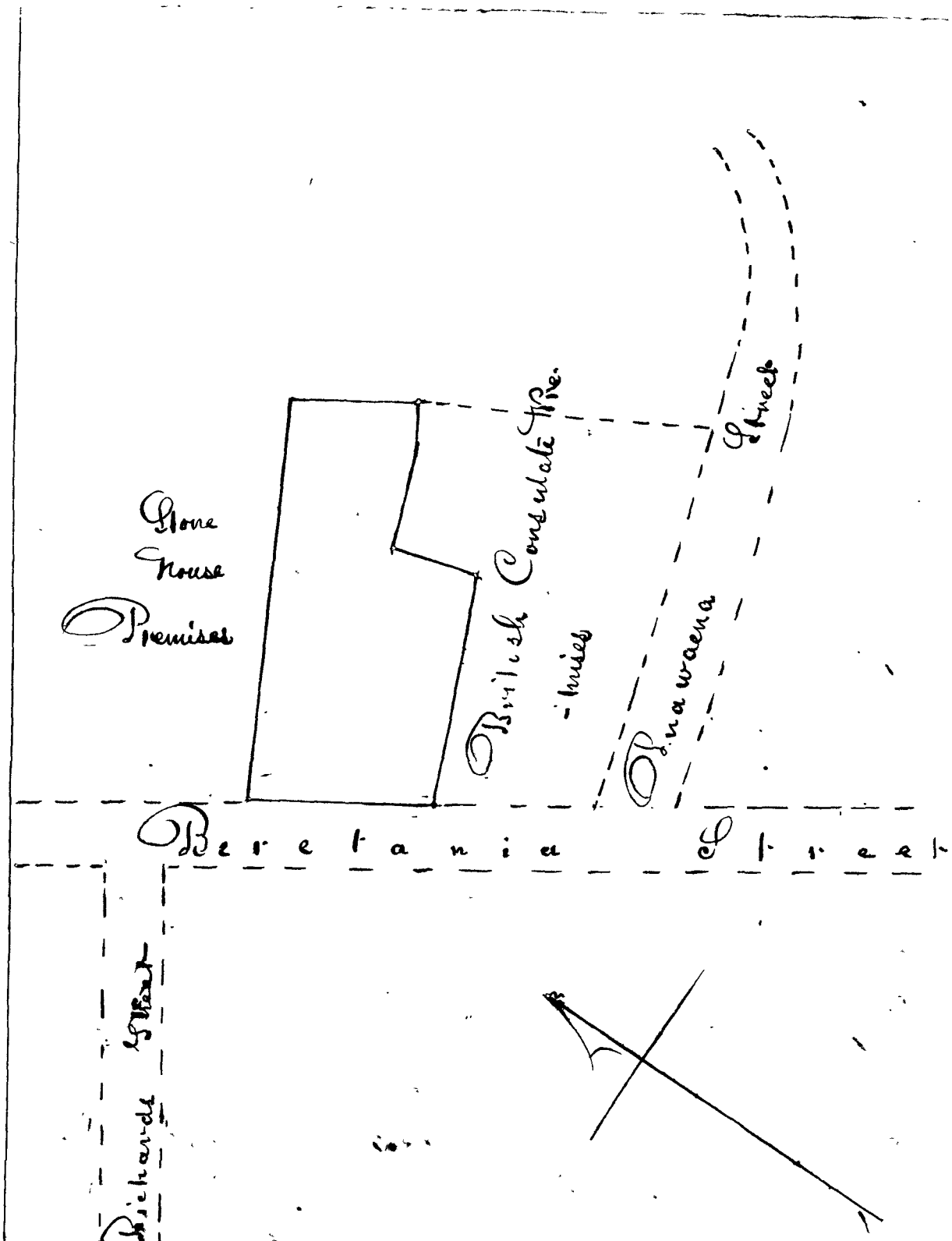
Survey of "Washington Place Honolulu"

"Commencing at Makai W. Corner of this lot, joining the "Stone House" lot, on Mauka Side of Beretania Street and Running S 38° 45' E. 163 8/12 Ft. along Beretania St. to the British Consulate Premises. Thence N. 60° 15' E. 211 2/12 Ft. along British Consulate lot to Corner of Wall. Thence North 23° W. 74 7/12 Ft. along British Consulate lot to a Corner of the Wall. Thence N. 63° 30' E. 93 Feet to Corner of an adobie house standing in British Consulate premises, slight angle. Thence N 52° 15' E 41 Feet along British Consulate place to Mauka East Corner of this lot. Thence N. 36° 15' W. 116 10/12 ft. along Mauka Side of this lot to "Stone house" premises. Thence S. 54° 45' W. 359 Feet along "Stone house" lot to place of Commencement, Including an area of

Acres 1 Fathoms 308.

Jany 5. 1849. Thelcal. Por:

458



Adjudication of C. № 850 - Mary Dominis $1"

To incidental expences of Commission for Claimants	1	
action of Board in this Claim on 19 June 1848	1	
Citation for attendance		50
Draft-deposition of Claim reduced & (with deed) 1 Sh	1	50
Draft-Testimony Reduced & Engrossed 19 June 1 Sh 3	2	25
Survey of the above lot by J Metcalf	5	
Engrossing same $3	1	50
Report of Comm^rs this day Rendered on the above Claim	5	
	20	75

Hale Kauwila
25 December 1848

W. L. Lee
J. R. Smith
for Mr Konakaa
D. Kaeuweai

Claim No. 273. Joseph Booth
Part 1

See P. 402
for Part 2 & 4.

This is a Claim for a portion of the Estate of Kewalo Consisting of the Ridge of Mountain pasturage Known as "Kaili".

From the Evidence submitted to this Board, it appears that this Land, together with Certain other Lands Comprised under the General name of "Kewalo", was Conveyed to the Claimant on the 6th day of November, in the Year of our Lord 1844 by H.M. Kamehameha III and H.H. Keliauhoki, then Premier, to have and to hold the same during his life, and also providing; that upon the death of the said Booth this and the other Lands included under the general name of "Kewalo", should become the Property of Lt. J.C.B. Rooke, and his Heirs born within the Kingdom of Hawaii; and that if the said Rooke Wished to give away or Sell to any person born within the Kingdom, and not the Subject of any Foreign Country, he should be at Liberty to do so; Such person being Subject to the laws of the Hawaiian Islands.

On the day of Executing the deed above mentioned Namely the 6th day of September A.D. 1844, the aforesaid Rooke, by Virtue ——— of the Powers vested in him by said deed, transferred all his right, title and interest in said Lands to the Hawaiian born Children of Joseph Booth "for them and their heirs, to have and to hold for Ever; but not to transfer the Lands therein mentioned to any Foreigner, without the Consent of the Hawaiian Government, or such Authorities as may be by them duly Authorized."

We do therefore Award to Joseph Booth the Land of "Kaili," Comprised in this Claim, according to the Metes and Bounds of the annexed

Survey of J. Metcalf Esq". To have and to hold to himself during his natural life; and upon his death, the same is to descend to his Hawaiian born Children, and their Heirs. they being Hawaiian Subjects: to have and to hold for ever.

"Survey of Kaili"

"Commencing at S. Corner of this Land, the Corner of the Large Stone surrounding it, the N. Corner of Stone Wall enclosing "Little Greenwich" and running along Stone Wall, including it, up the Puiwa side of this Land to End of Wall at Gulch, Called Puiwa alua, the Mauka E. Corner of this Land. Thence N. 70° W. 23 Ch. 52 lk. across Kaili ridge by Kuoi and Kapoo-Kaholua down on Nuuanu side to bottom of Pali at Alapii in Land Called Puiwa alua, the Mauka N. Corner of this Land. Thence along down on Nuuanu side, following along foot of Pali to the Mauka boundary of Land Called Kaimuohena, belonging to Thos Phillips. Thence along Mauka boundary of Kaimuohena up to top of pali. Thence along on upper ridge of Pali, to Makai S. Corner of Kaimuohena. Thence down Pali along Makai side of Kaimuohena to foot of Pali. Thence along foot of Pali and Stone Wall enclosing this Land, to End of wall just below Kapena Falls. Thence along Stone wall, including it, forming Makai boundary of this land, over Kaili Ridge to place of Commencement

Including an area of Acres 208 2/10

Metcalf Surv:

See Page 160 for diagram

Board of Commissioners for Land Claims
Adjudication of Part 1. C. 273 Joseph Booth Dr.

To Incidentals Expences &c of Commission			1
Action, &c of Comm^{rs} on 1 October 1847			1
Draft-deposition of Claims under NC 273		$2	1
Citation for attendance Cts 1			50
Draft-testimony reduced & Eng^{d} Cts 1		$2	1 50
do do " " July 28 and 11 Aug^{t}			
1848 fol: 14 divided between this and Counter Cl.			
NC 85 J. Phillips		$7	5 75
Actions of the Board July 28 & 11 Aug			2
Engrossing Copy of Survey &c of this Land as			
made by T Metcalf for Claimant		$10	5
Report of Commissioners this day render-			
ed on the above Claim			5
		$	22 75

William L. Lee
Examd
I. H. Smith. D.
I. M. Kinau Clk
H. Hanaman

Hale Waiwiia
Honolulu 10 January 1849

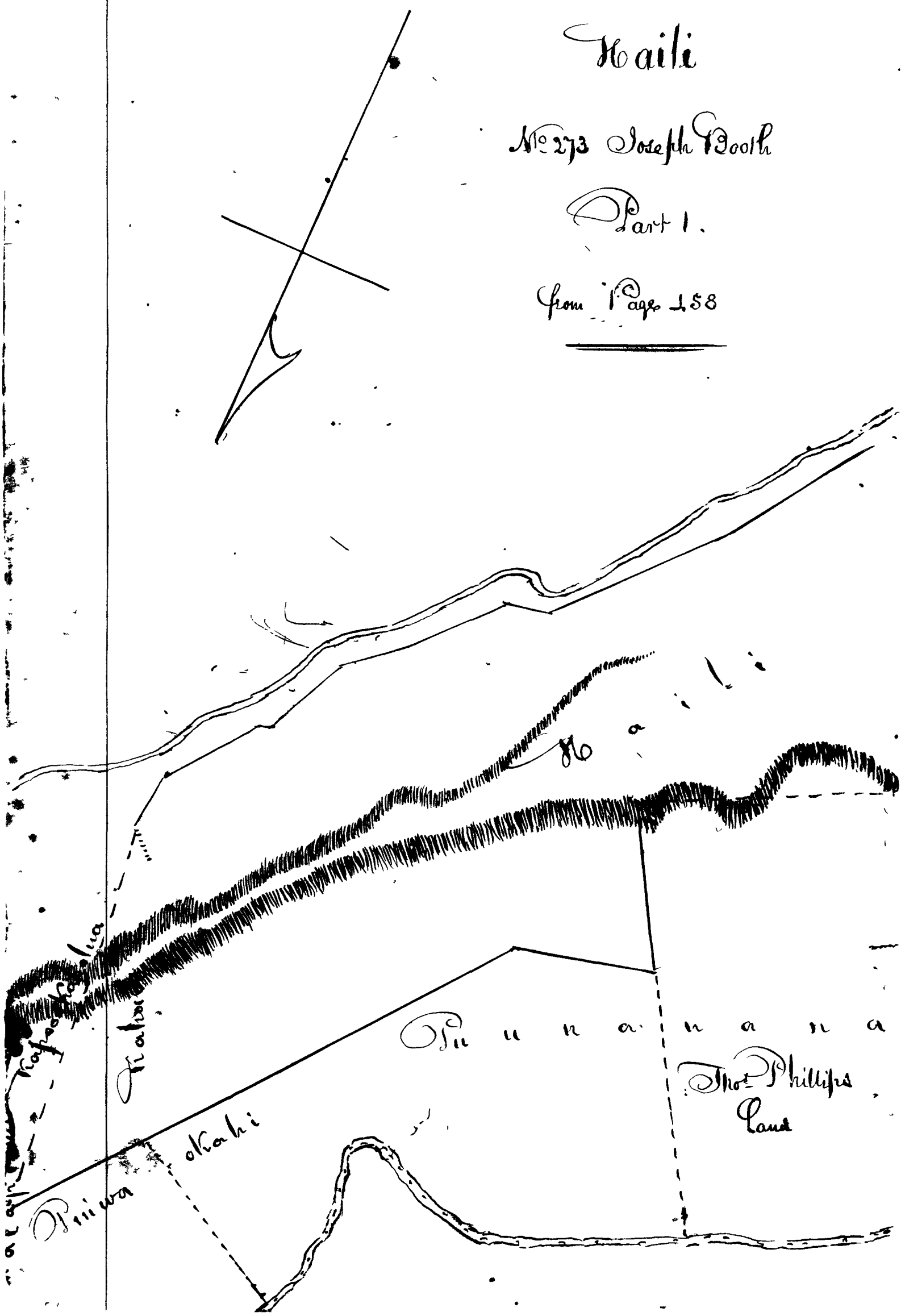
160

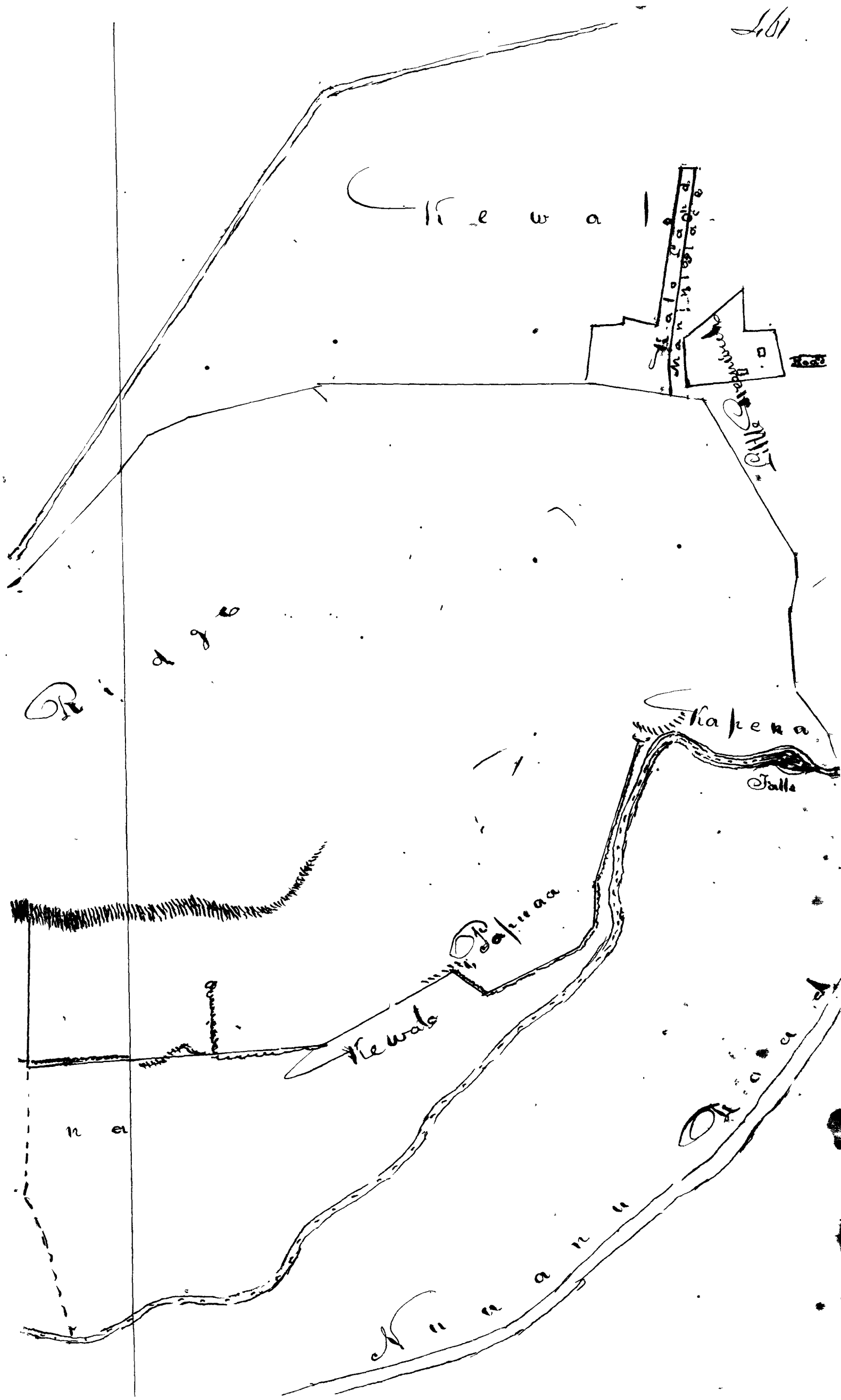
Kaili

No 273 Joseph Booth

Part 1.

from Page 158




Kiewal
Kalpitiya
Kalpitiya
Kalpitiya

Claim No 807 Andrew Auld.

This is a claim to a house lot situated in Honolulu, Islands of Oahu.

From the Evidence taken in this Claim, it appears that Richard Charlton, some time in the Year 1827 acting by virtue of a certain Lease of land from Karaimoku to the said Charlton for the term of 999 Years from 5th day of October 1826, gave to the Claimant this lot of land as a dwelling place; that Claimant soon after built a house upon the lot, and has had undisturbed possession of the same ever since.

There is no Evidence before the Board showing that this lot forms any part of the lands leased by Karaimoku to Charlton, but in the absence of all testimony upon this point, the Board will, for the purposes of this Award, and upon the Express understanding that said Award is not to be taken as a precedent or Authority in any Case or Question that may now be pending, or that may hereafter arise, respecting the land leased by Karaimoku to Charlton, — make the most favorable presumption possible in favor of the Claimant; and acting upon Mr Auld's own statement, Consider this lot as forming a parcel of said Leasehold.

We do therefore award to the Claimant — Andrew Auld, his heirs Executors, and Assigns, the lot of land described in the annexed Survey, "to have and to hold the same during the term of Two hundred & Ninety Nine Years, from the fifth day of October in the Year of our Lord, One thousand Eight hundred and twenty six, free of all quit Rents, Fees or Charges during the above term:" — But this Award is upon the following express Condition, Contained in the aforesaid Lease, Namely, that at the expiration of the aforesaid term, the land, with all houses, tenements, buildings & improvements thereon, shall revert to the Sandwich

Islands Government. Without any Cost, or Charge on the same. See Page 452

Claim № 819. William Wright.

This is a Claim for a House Lot Situated in Honolulu, Oahu, put in by William Wright, on behalf of himself, his Mother, Kealoha, and his Sisters, Caroline and Rebecca.

From the Evidence submitted to the Board, in this Case, it appears, that Luther Wright, the Father of Claimant, procured this place from William French in November 1837, and occupied the same in peace until the Year 1843, when he died, leaving this Lot to the Claimants. Since the death of Luther Wright, the Claimants have held the possession of the Property without any dispute, or Counter Claim from any Source, up to the present time. We do therefore award the aforesaid Lot, according to the Bounds of the annexed Survey to Kealoha, the Widow, and to William, Caroline and Rebecca Wright, the Children of Luther Wright, to have and to hold, a Freehold Estate less than Allodial in the same; which Freehold, they may Commute for a Fee-simple title as prescribed by Law.

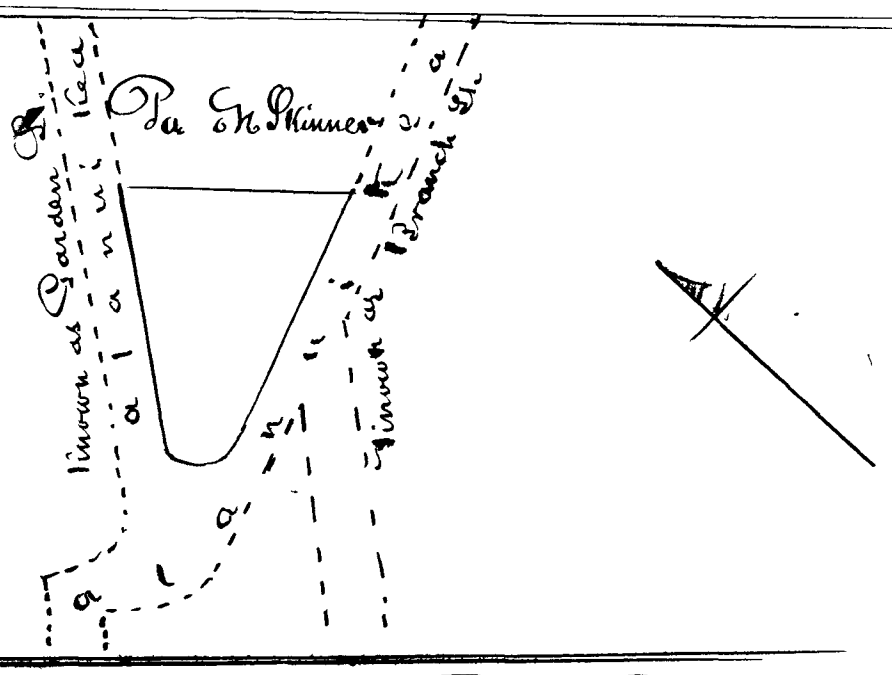
"Ke kii o ka pa o W Laika ma Honolulu, Oahu, Makai iho o ka pa o H Skinner, E Koomaka ana i ke ana ana ma ke kihi Komohana o ka pa o H Skinner, e pili ana no i ke Alanui Kea.

A moe aku ka aoao mua Hema 38° 30' hikina i Kaulahao 8 7/12 Kapuai hiki i ke Kihi hema o ka pa o H Skinner; e pili ana no i ke alanui Kea huli hema 76° 30'. Komohana i Kaulahao 31 Kapuai, hiki i ka anaiee o Keia pa e huli akau ai a hoi ikihualala, huli hema 78° Komohana, a hoi iki 6 7/12 Kapuai, huli akau 73° Komohana, a hoi iki 3 1/12 Kapuai; huli

akau 52° Nomohana, a holo iki 4 7/12 Kapuai, huli akau, 14° 30'. Nomohana, a holo iki 6 7/12 Kapuai, o na anaaea liilii Keia o kahi kualalo, alaila, hiki i kahi e huli ae ai a holopololei aku i kahi i hoomaka'i Ke ana ana akau 42° hikina i Kaulahao 27 9/12 Kapuai. Eia ka ili 117 Anana
9 Kapuai Kuea

Anaia Dec 19. 1848.

D. Kalaniakahua



Land Commission - C. N° 849. William Wright &c Dr

Incidental Expences L of Comrs		1	
Action of Comrs on 9 June 1848		1	
Citation			50
draft. depos.ns of Claim & deed Copying	$2	1	
" Testimony 9 June reduced 1/2	$2	1	
Survey by D. Kalanikahua 1/2	$2	3	50
Report of Commissioners this day rendered on the above Claim		2	50
		10	50

Honolulu
Hale Naauao
10 January 1849

William L. Lee
Jno. Ii
M. Smith
J. M. Kamakau
D. Kanenui

C. 719 — Lephraniah Sampson.

This is a claim to a house Lot situated in Honolulu, Island of Oahu.

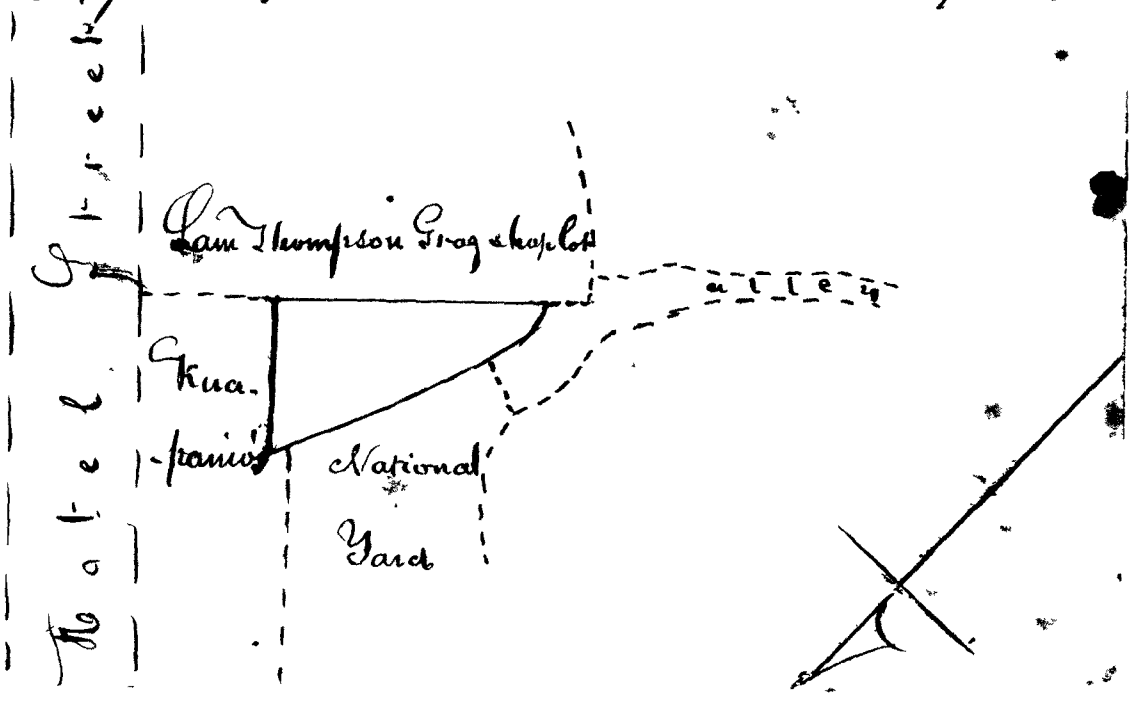
From the Evidence offered and taken in this claim it appears that the Claimant has had uninterrupted possession of this lot ever since the Year 1832. This quiet and peaceable possession for the period of 16 Years, renders the Claimants title Clear under the first Rule prescribed for the action of the Board. And we therefore award to Lephraniah Sampson a Freehold Title, less than allodial in said lot, which Title, said Claimant may Commute for a fee-simple title to said lot, upon the terms prescribed by law.

The boundaries of the above awarded lot are described in the annexed Survey.

"Commencing at Mauka E. Corner of this lot joining the S. Thompson Grog shop lot owned by James Robinson & Co and Kuapanio's lot and running N. 43° W. 52° 8/12 Ft. along Kuapanio's lot to Mauka N. Corner of this. Thence S. 26° W. 46 2/12 Ft along Kuapanio's & National Yard to Slight angle. Thence S. 13° 15' W. 37 7/12 Ft along National Yard to Gate post to alley leading to Chapel St. Thence S. 11° W. 17 2/12 Ft. along alley to Slight angle. Thence S. 15° E. 10 Ft. to extreme Makai Corner of this lot. Thence N. 45° E. 1 Ch 4 7/12 Ft. along James Robinson & Co lot to N. Corner of Stone House Slight angle. Thence 49° E. 23 9/12 Ft. to place of Commenced. Including an area of 7 Rathoms 86 Feet

Jany 5 1849.

Thetcalf Surv



Land Commission - Adjudication of C. N° 719 T. Sampson

		$	¢
To Incidental Expences & of Commⁿ		1	
action of Board on 31 Jany. 1848		1	
Citation			
draft-deposition of Claim reduced	$2	1	50
draft-Testimony Recd. & Engd. 31 Jan.	$1		75
Survey by J. Metcalf of this lot		5	
" Engrossed	$2	1	
Report of Commissioners this day rendered on the above Claim		5	
		15	25

Honolulu
Hale Naauao
10 January 1849

William L. Lee
Loane Li
J. H. Smith
J. Mo. Po ane ake au
L. Haaheo Li

C. N° 634 John Michel.

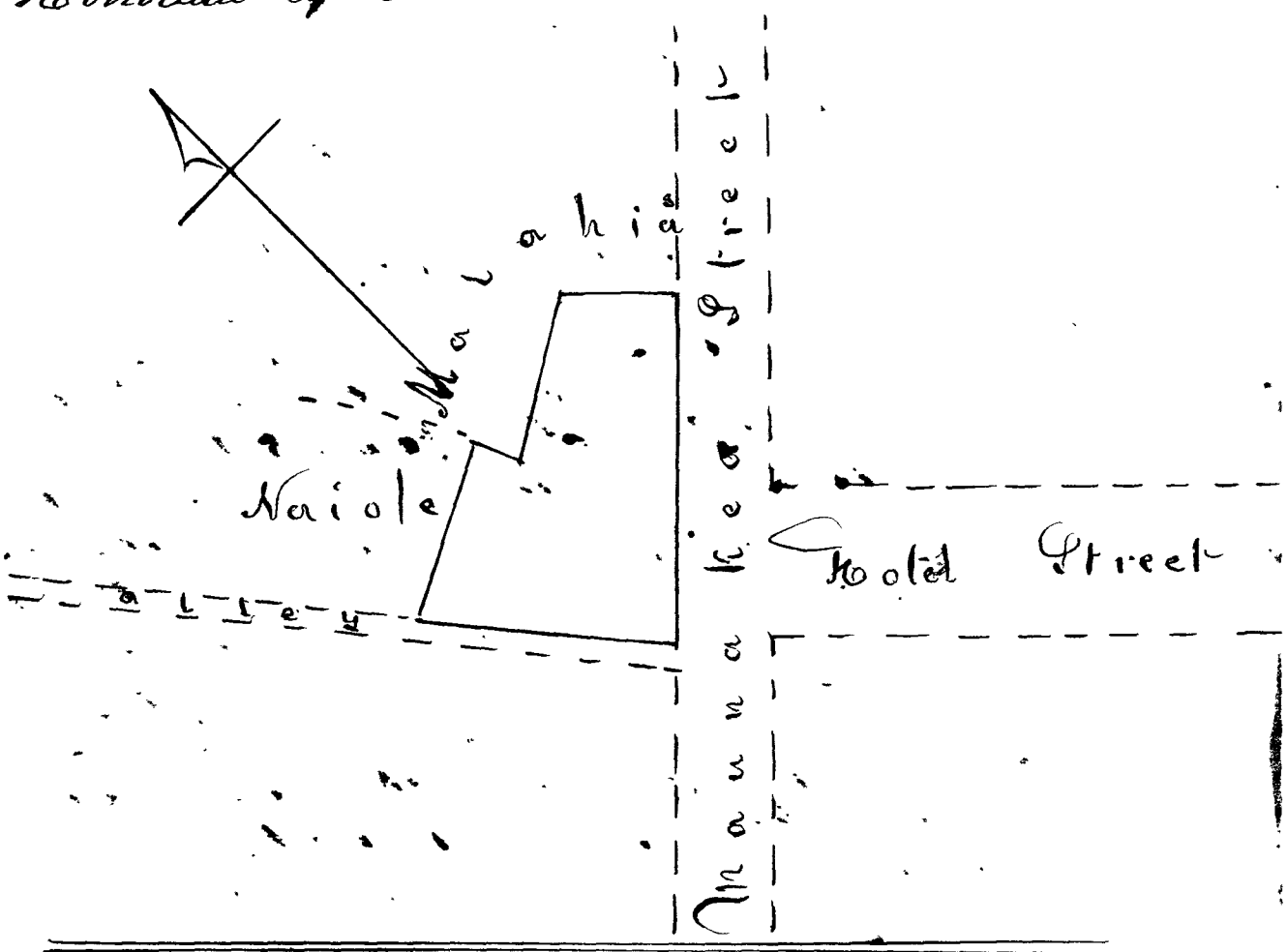
This is a claim to a house lot, situated in Honolulu Oahu. From the Evidence submitted in this Claim, it appears, that at the time of laying out the Streets of Honolulu in 1837 or 1838. the Claimant was in possession of a piece of Land, which (he states) was given to him by Kamehameha I, to occupy as long as he lived on this Island; that in making Nuuanu St. said piece of Land was badly cut up; and Claimant made application to the present Governor, of Oahu H.E. M. Kekuanaoa, for another piece; whereupon the Governor gave him the lot he now claims. And he immediately fenced it, built upon & occupied the same; which occupation he he has Continued down to the present time.

In the opinion of the Board, this claim is a clear one; and We do hereby award to the Claimt John Michel, a freehold title less than allodial in said lot, according to the Metes and Bounds of the annexed Survey made by J. Metcalf Esq":

on 3rd day of April AD 1843. Which Freehold or life Estate he may Commute into a Fee-simple title as prescribed by law.

Survey. "Commencing at S. 1 E Corner - (at hidden Monument) and Running N 47° E. 84 ft 5 in. buried Stone Thence N. 41. 30' W. 27 ft-6 in: Thence S. 59° - W. 43 ft - Thence N. 15° - W. 11 ft-6 in: Thence S 66° ½ W. 45 ft. Thence S 37 - E 61. ft-6 in: to place of Commencement including 13 Rods 11½ feet.

Honolulu April 3. 1843. J. Metcalf Sur:



Land Comm"- Adjudication of Ce. 631 John Michel

To Incidental Expenses of Commission		1	
Action of Board on 8 December 1847		1	
Citation			50
Draft deposition of C.	$2	1	
" Testimony Reduced to Engt	$1		75
Engrossing J. Metcalf's Survey Communicated	$1		50
Report of Commissioners this day rendered on the above Claim		5	
		9	75

William L Lee
Joane Ii
W Pitt
L. M. Kamakau
L. Konanui

Honolulu
Hale Kauwila
10 January 1849

Claim № 364. John White from Page 395

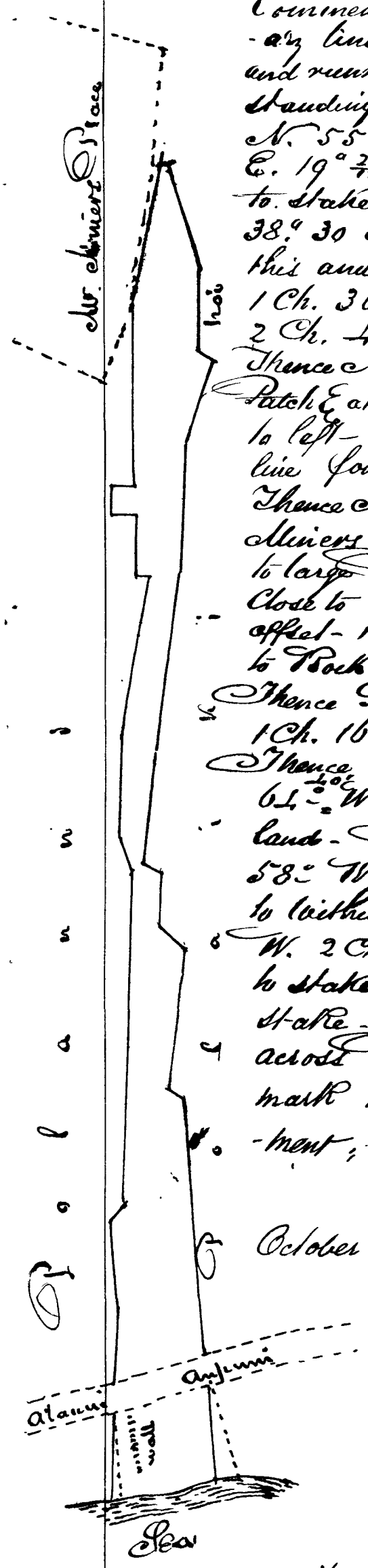
"Polaiki joining the Sea."

"Commencing at Stake at high water mark on ground - a/z line between this and the land called Polanui and running N. 60° 15' E. 3 Ch. across R. to Stake standing 15 links S. & E. of small Kukui tree. Thence N. 55 E. 1 Ch. 25 8/12 Lks. to Stake. Thence S. 41° E. 19° 2/12 Lks. to Stake. Thence N. 58° E. 5 Ch. 13 2/12 Lks. to Stake at narrowest point of land. Thence N. 38° 30 E. 29 8/12 Lks. (always following line between this and Polanui) to Stake. Thence N. 58° 45 E. 1 Ch. 36 1/12 Lks. to Stake. Thence N. 65° 30 E. 2 Ch. 41 Lks. Thence right angle to left. 12 Lks. Thence N. 57° E. 2 Ch. 15 2/12 Lks. to Corner of Kalo Patch E at 1 Ch. from point of last line offset 23 Lks. to left and run on parallel 26 Lks., then back into line for purpose of including 2 Bread fruit trees) Thence N. 55° E. 2 Ch. 7 3/12 Lks. to Stake S. side of Miners Wall. Thence N. 69° 30 E. 2 Ch. 15 10/12 Lks. to large Rock, extreme E. Boundary of this land. Close to and opposite of Gate in Miners wall. Thence offset 12 Lks. to S. Thence S. 50 W. 1 Ch. 52 8/12 Lks. to to Rock at Kalo Patch. Thence S. 60 W. 1 Ch. 12 1/2 Lks. Thence S. 2° 30' E. 17 3/12 Lks. Thence S. 71° 30 W. 1 Ch. 16 1/2 Lks. to Makai side of Kalo Patch. Thence S. 62° 15' W. 2 Ch. 5 3/12 Lks. Thence S. 61° 40' W. 4 Ch. 45 Lks. to narrowest point of this land. Thence S. 2° W. 19 10/12 Lks. Thence S. 58° W. 49 1/2 Lks. Thence S. 4° 30' W. 40 3/12 Lks. to within 2 8/12 Lks of Kukui tree. Thence S 65° W. 2 Ch. 6 Lks. to Stake. Thence S. 6° E. 17 2/12 Lks. to Stake. Thence S. 54° 30' W. 1 Ch. 27 Lks. to Stake. Thence S. 53° 15' W. 4 Ch. 41 Lks. across Road and to Stake at high water mark 1 Ch. 46 10/12 Lks. from point of Commencement; including an area of

Acres 1. 6/10 .. (= 726 sq. ch.)

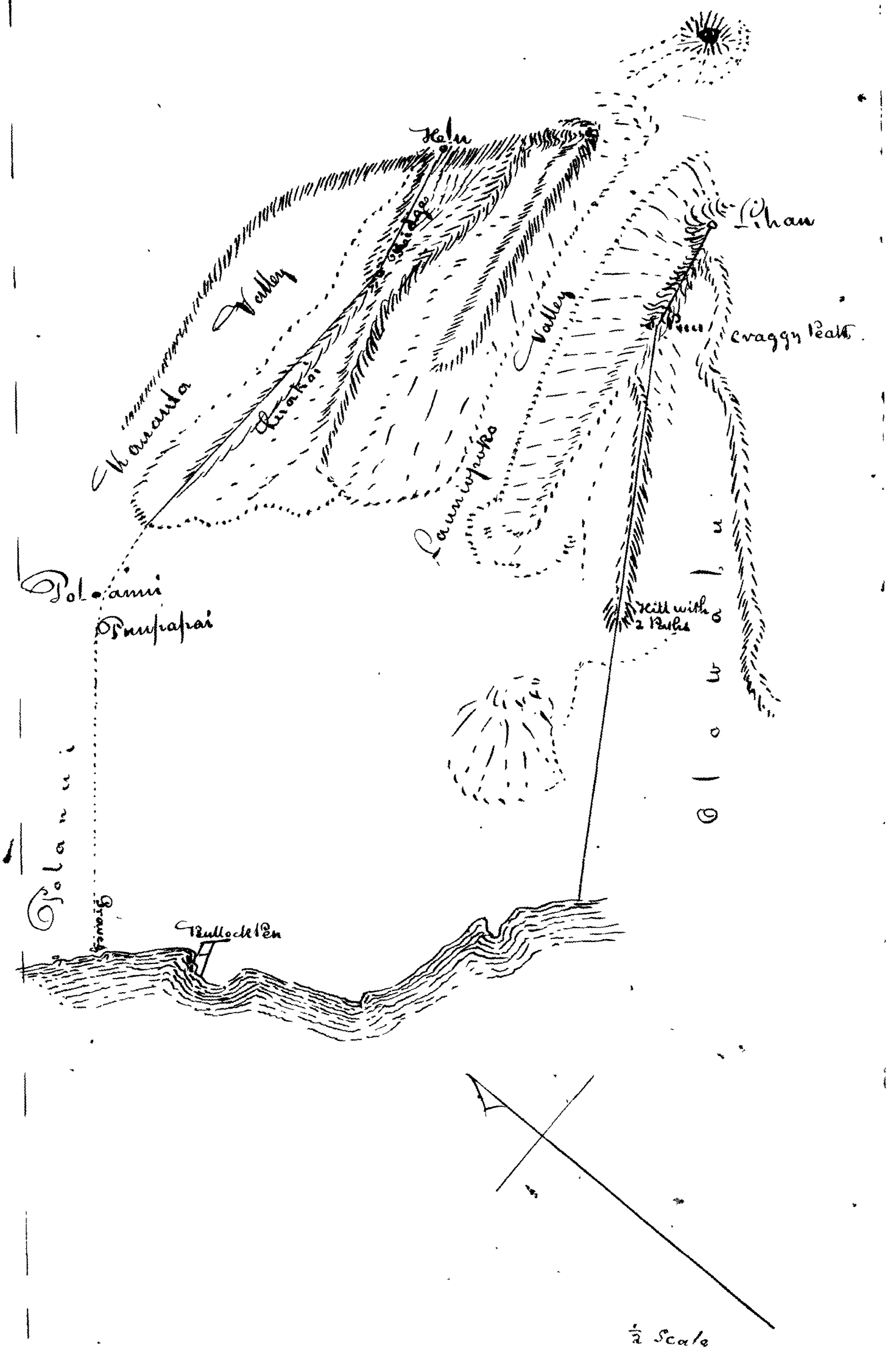
October 13. 1846.

(J. Metcalf. Sr. Surv.)



(Note. There is no bearing of Compass Points appended. J.M.S. Sec.)

Continued from Page 231. Co. 82 J. Phillips



470

Claim No 43. Catholic Mission

Continued fr. Pge 150.

This is the last of the series of claims, denominated "Catholic Mission Claims", which have been presented to this Board for adjudication by the Revd. L. D. Maigret, and consists of a tract of land granted on the 10th day of November A.D. 1845. and signed by Ioane Ii and M. Kekauaoa as Trustees for Victoria Kamamalu. The signature also of Piikoi is attached immediately under the Grant, and those of the King and Keoni Ana as approvers.

There is nothing specific in the deed on which the present Claim is founded, upon those points which usually characterize such Instruments: neither Consideration, term of Years, nor Transferee, while much particularity is observed in defining the conditions of the Grant, and the boundaries of the land are given.

From the Circumstance however of the object of the Grant relating only to the R. Catholic denomination, and that body being then, and to the present time, exclusively represented by the French Bishop Maigret formerly Apostolic Prefect; and the claim coming from him in Connection with the preceding ones of the same Class, and at the same time, — it may be safely adjudicated with them, being Confirmed by the Testimony of the Grantors, before the Board.

The following is the translation of the original document which gives rise to the claim, as rendered into English by his Honor Judge Andrews for the Board.

"Site for a Catholic Seminary"

"We hereby set apart a certain piece of land at Ahumanu on Oahu for the purpose"

"1 of teaching Scholars the use of letters, such as reading
" arithmetic, writing, geography, and such like Studies,
" tending to Mental improvement:
"2 When the Scholars shall be well versed in the above "
" they shall be taught some foreign language, Calculated
" to improve their minds, such as the Latin or French

" Languages, together with ancient & Modern history; accord-
" -ing as the Scholars shall be fitted to proceed-
" 3. Both teachers and Scholars shall energetically
" aim at whatever may be for the good of this Kingdom-
" 4. They shall Yield obedience to his Majesty the King
" of the Islands, and all other Chiefs under him.
" 5 For the present, there shall be but two Teachers,
" and they Catholics.
" 6 The number of the Scholars to be admitted will
" depend on the quantity of food which can be produced
" on the land; and other Items for the accomodation
" of the School.
" 7 The Teachers shall have power to make Rules
" Regulating the School; but they shall be subject to the
" inspection of the Rulers, if they desire it.
" 8 If the Chiefs wish to Choose a Trustee to oversee,
" with the Teachers, as to the personal welfare of the
" Scholars, it is at their option so to do.
" The following are the boundaries of the land.
" The beginning of the boundaries is from a Strip of land
" running from the Mountain: which Strip or Ridge is
" Called "Nanaikualoa"; from that Ridge the line runs
" towards the Sea, towards a certain hillock; thence to the
" house of Holokekee; thence to a kukui tree towards
" the Sea from the house; thence the line runs to the West-
" -ward to a stream of water; then straight forward to
" the sharp point of a hillock Called "Kilokeanuenue";
" thence forward toward the Mountain to a precipitous
" valley; from said valley to the Ridge of "Nanaikualoa"-
" the place of Commencing the bounds.
" This Place shall become a Isle, with all its privi-
" -leges, for a Seminary before mentioned, according to the
" law of the Hawaiian Islands, and on the Terms above
" stated: but any thing done Contrary to the above agreement
" shall render its possession liable to be forfeited.
" For the true fulfilment of these Conditions, we hereunto set our
" names this 10.th day of November A.D. 1845 at Honolulu Oahu
" Hawaiian Islands Signed Jona Piikoi
Signed Kamehameha John Ii } Trustee for Kinau
" Keoni Ana M. Kekauonohi }

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By the preceding Instrument, it will be seen that the present Grant Consists, in "a certain land being set apart for a Special purpose"; which purpose is made known with great particularity & precision - and that, "any thing done Contrary to the above requisitions, shall render its possession liable to be forfeited;" and is of the same character as those which have been granted in so many instances by this Government both to the Protestant and Catholic denominations for the prosecution of professedly Religious and benevolent objects.

We accordingly award the land included in the present Claim according to the terms and Conditions set forth in the original grant, as a freehold estate less than allodial, to the Roman Catholic Church of the Hawaiian Islands, over which the Revd P. D. Maigret is at present Bishop: as the title thus Conferred, inheres in a public body, and not in any individual, it must be coextensive with the existence of that body, in order to Constitute a freehold or life Estate; and is as perfect, and ample a Title as the subject of its bestowment Can embrace - an allodial title Could not extend it in time, nor dispense with its conditions.

For the purpose of greater precision & clearness in the description of the above land, the following metes and bounds as given in the Surveyor J. Metcalfs are those recognized and approved by the Board.

All Possessory rights of Native Tenants in any parts of the lands included in the present series of Claims, are required by the law of 1839 to be respected -

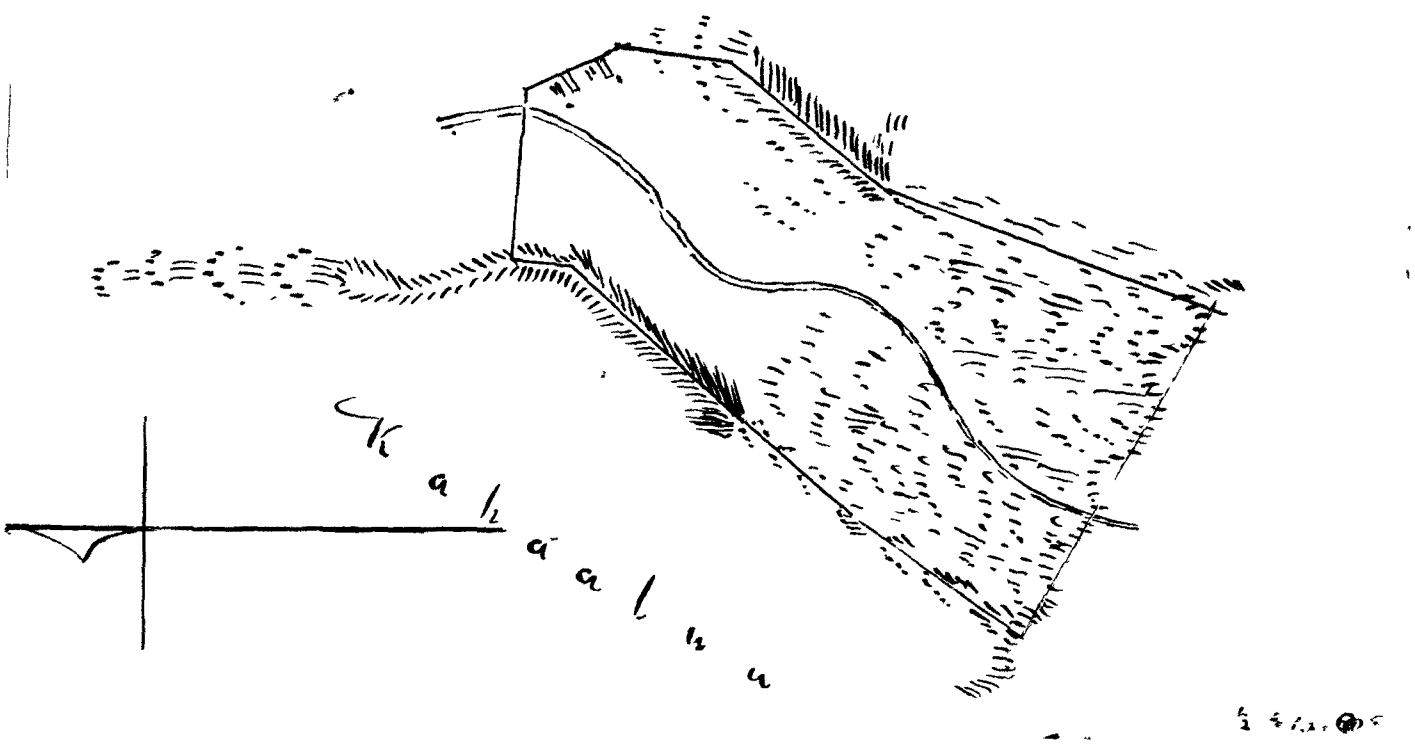
"Notes of Survey of "Ahuimanu" in "Keeia", Koolau Oahu. for the French Catholic Mission"

"Commencing at Kukui tree at Makai N. E. Corner of this land and Corner of Wall enclosing College grounds. And Running N. 89° 45' W. 19 Ch. along makai wall across Stream and up to Lauhala tree on top of Ridge Called Kilokeanuenue at makai N. W. corner of this land to land Called Kahaalua. Thence S. ½ W. 5 ch. 39 7/12 lks. along on top of Ridge to Red spot at bend. Thence S. 40° 30' W. 23 ½ Ch. along Ridge to peak at foot of inaccessible pali. Thence S. 16 Ch. 39 7/12 lks. up to high bush on peak directly above Kilokeanuenue Ridge. Thence S. 32° 15' W. 22 Ch. up to highest Mountain Peak above Kilokeanuenue Ridge at S. W. Corner of this land. Thence S. 63° 30' E. 39 Ch. 20 lks. along on top of Mountain to highest Mountain peak directly above Ridge Called Nanaikualoa. Thence N. 16° 45' E. 36 Ch. 59 5/12 lks. down ridge to Peak at foot of inaccessible Pali. Thence N. 38° 15' E. 22 Ch. 13 2/12 lks. along down on top of Nanaikualoa Ridge to Stake at upper makai bank of it. Thence N. 5° 15' E. 11 Ch. down to bottom of Ravine even with E. wall of College ground. Thence N. 25° 30' W. 10 Ch. 37 7/12 lks. up to and along wall to place of Commencement.

Including an area of Acres 216 ½

May 17. 1848 J. Melcalf, Sr.

P. S. 126 acres of the above are an inaccessible Pali.



4/4

Costs of

Adjudication of Cl: Nos 39. 40. 41 and 43 Catholic Mission Revd L Maigret

To Incidental expences relating to Land Claims			1
" Action &c of Comn" in above Claims 39. 40. 41			3
" Citation 50 Cts dr. depos: of Claims reduced $1. 50 Cts			1
" Testim: Read & Engd on the above 3 Cl.s 1 July 1846		$13.	9 75
" Report rendered by Comn" on 39. 40 41 - 3 Cl.			15
Engrossd Copy of Reports &c		$16	8
		$	37 75
Action of Comn" in Cl. 43 1 July 1846			1
draft depn: of Cl. in engrossd deed of Grant		$3	1 50
Report of Comn" this day rendered and copy		$10	10
Amount Remitted by decision of the Board		$	50 25

affecting all Costs attending claims of benevolent Societies - not involving actual outlay by the Commission - as Surveys.

Dt to the Board for Surveys in Cl Nos 39. 40. 41			15
19 January 1849 " other Costs relating to Cl 43			20
		$	35

Wm Gausilla
Louis Lee
Wm Smith
W. L. Lee
J. M. Whitney

Claim No 635. Kawaiahao Church.

This is a claim made by the Members of the First Church of Honolulu for their Church lot situated in the district of Kawaiahao in the Town of Honolulu, Island of Oahu.

In support of this claim, there has been submitted to the Board, the following deed of Conveyance, made and executed by his Majesty Kamehameha III and her highness Kekauluohi on 21st day of July in the Year of our Lord 1842.

"He palapala hoolilo no ka Hale Pule Pohaku e Ku ana ma Kawaiahao ma Honolulu.

O mana no o Kamehameha III Ke alii nui o Ko Hawaii nei pae aina a me Kekauluohi Ke Kuhina Nui o Ke Aupuni, Ke hoolilo aku nei mana i Keia la kakini pohaku e ku ana ma Kawaiahao ma Ke Kulanakauhale

o Honolulu no na hoaaman Kalesia a
pau i hana pu me mana i Keia hale, a
haawi pu i Ka Lahui waiwai no Keia
hana maikai. No Lahui Keia hale
a mau loa aku, a no Ka pae hoi e manao
like ana me Lahui ma Ka pono o Ke
Akua, a e hoomana ana i Ke Akua iloko
o Keia hale e like me Keia poe hoahanau
Kalesia ma Keia hope aku, a o Ka poe
hoomana like ole me Keia Kalesia, aole a
Lahui waiwai iloko o Keia hale a me Keia
pa.

I akaka Ke ano o Ka manaio i ma=
maiaiai e Keia Kalesia a i kukiheua ole
hoi na hanna mahope aku ma ia mea
na pono no Ke palapala a paa ma Keia
pepa. na mea nui iloko o Ka manaio o
Keia Kalesia penei. Ke manaio nui
Lahui ia Jehowa e noho Akua ana ia,
aole ona kumu, aole loa oia e pau aku,
aole ona ano hou ae, aole hoi oia i ikeia
e na maka o Ke Kino, aka, e noho ana
no oia i na wahi a pau loa. Ke ike nei
no hoi oia i na mea a pau, he mana loa,
he akamai loa, he pono loa Kona, nona hoi
Keia nani Kela nani, Keia maikai Kela
maikai a pau loa, nana no i hana Ka
honua, a me na lani, a me na kanaka,
a me na anela, a me Keia ao Kela ao, a
me na mea a pau loa iloko olaila, o Ka
homau a me Ka hoomalu Kona i na
mea a pau mamuli o Kona makemake
iho no; oia wale no Ke Akua, a o Keia mea
Kela mea e ae a pau i Kapaia he Akua, he
kapuwale Lahui, he hana na Ka waha=
hee

. Ke manaoio nei no hoi Hakou i Ka Palapala Hemolele, o Ke Kanaka Kahiko a me Ke Kanaka hou, o Ka olelo ia a Ke Akua, he oiaio, he hemolele, he kumu hookahi wale no ia no Ka manaoio ana a me Ka malama pono ana i Ke Akua.

Ke manaio nei no hoi Hakou na hanaia Ke Kanaka i Kinohi mamuli o Ke ano o Ke Akua, he maemae, he pomaikai hoi, a ua haule ia i Ka hana hewa ana, a nolaila ma Ko Kanaka ao ao maoli, aia no maloko o Ka hewa, a me Ka make na Kanaka a pau o na hanauna a pau loa.

Ke manaoio nei no hoi Hakou na olelo hoopomaikai mai la Ke Akua no Kona aloha wale mai, e haawi mai i Ka Hoola e ola ai, a mamuli no hoi o Kana olelo hoopomaikai, ua hoouna mai no oia i Kana Keiki i Ke ao nei i hanauia e Ka wahine mamuli o Ke ano o Ke Kanaka.

Ke manaoio nei no hoi Hakou i Ka Hoaku ia Iesu Kristo o Ke Keiki ia a Ke Akua, ua make no ia ma Ke Kea i Kalahala no Ka hewa o Hakou, a no na hewa hoi o Ko Ke ao nei a pau; he mii no hoi he ola i kona Koko, o Ke Kala ia mai o Ka hewa, a me Ka hoopono ia mai, a ola mau loa no Ka poe pono a pau i manaoio ia ia. Aole inoa ae i haawi ia mai malalo nei o Ka Lani i waena o na Kanaka e ola ai Hakou, oia Ke alii o Ziona, nona Ka mana a pau ma Ka Lani a me Ka honua; oia Ka

luna Ramawai nana e hoapui i Ka pae ala
a me Ka pae make.

He manaio nei no hoi kakou i ka
Akua Hemolele Ka Akua o Ke Akua, oia ke
hoikeike i Kanaka i ko kakou hewa, oia ke
hoopahaohao ia kakou ma Ke ano o Ke Akua,
i pono a me Ka hemolele, oia Ke hoomakaukau
ia kakou e noho mau loa ma Ka lani.

He manaio nei no hoi Kakou, he
Kalesia Ko Ke Akua ma Ke ao nei, a o Kana
mea ia i manao ai e hoonohopaa ai i na
kahuikanaka a pau, a e hoolilo hoi i mea
e nani mau loa; a he manao makemake
Kona i Ka pae a pau i hookahuaia hou ia
ma Ka olelo maikai a Ka Haku e hoolilo
kakou ia kakou iho i mea no Kona Kalesia,
a e hele pu imua o Kona alo me Ka naau
hemolele ma Kona mau Ramawai a me Kana
mau oihana a pau ana i Kauoha mai ai
ia kakou.

He manaio nei no hoi Kakou i Ke
Ala hou ana o Ko Kamaka Kino, a i Ka
hanaolelo ana i Ka la nui o Ka Haku, a i
Ke ola mau loa ana o Ka pae pono, a me Ka
make mau loa ana o Ka pae hewa.

Oia no hoi kuia, o na aoao haipule
a pau i like ole Ko kakou manao me kuia i
no ai Kakaia ae nei ma kuia pepa, oia hoi o
Ka pae hoamanakii, a me Ka pae pule i
Ke Akua mana kii, o Ka pae mamuli o Ko
Ka Pope aoao, o Ka pae hoole ia Jehova a
hoole i ke Kahikolu ana o Ke Akua, o Ka pae
hoole i Ke Akua o Iesu Kristo a me Ke Akua
ana o Ka Akua Hemolele, o Ka pae hoole i
Ka make mau loa ana o Ka pae hewa a
me Ke ola mau loa o Ka pae pono, o Ka
pae hookeke i Ka palapala Hemolele

Lawe aku i Kauwahi, a hui mai i Ka
olelo e me Ka Ke Akua, aole a laKou
waiwai iaKo o Keia kuakini a me Keia
poe.

Ke hoolilo nei mana i Keia hale
a me Keia ha a me Ko laila waiwai a
pau no poe malama oiaio i Ka ma-
niaio i palapalaiai malama ae ma
Keia pepa, aole no Ka poe manao kue.

A Ke Kau nei i Ko mana mau
ino a me Ka wepa hoailona ma
Honolulu Oahu Ko Hawaii nei pae
aina i Keia la Ioakalua Kumamakahi
o Iulai i Ka makahiki o Ko KaKou
Haku, hookahi tausani walu haneri me
Kanaha Kumamalua

Ike maka i Ke KaKau

Kamehameha III
Ke Kuauhoshi

Keoni Kiviniè
B. Mahune
Iona Kapena
I. Kekaulahas-

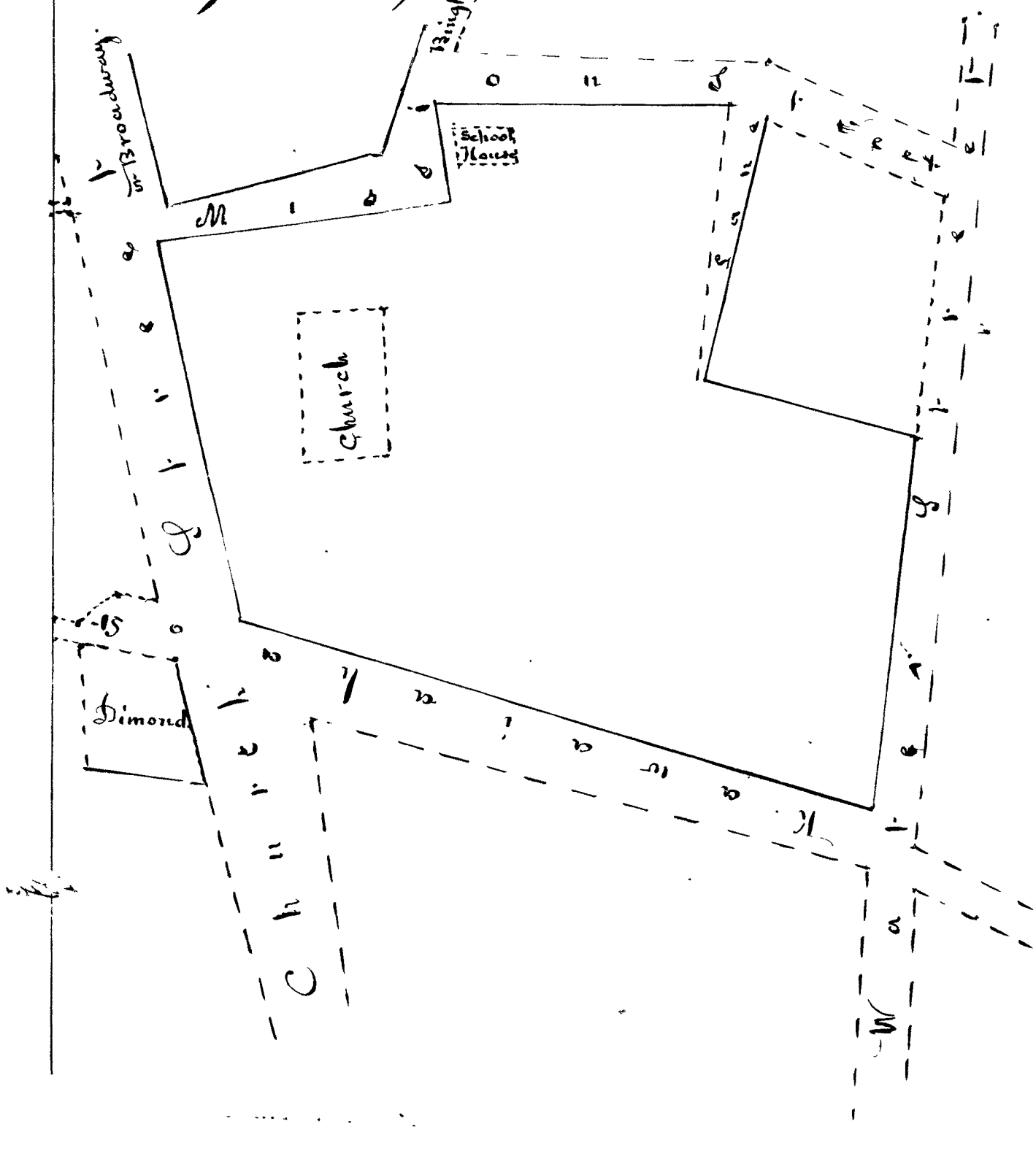
The Claimants Title to this lot is made perfectly clear by the above deeds: and We do hereby award the same, to the members of the first Church aforesaid, to have and to hold the same to them and their Successors upon the terms and Conditions set forth in the before mentioned deed; or in other words, so long as they shall Continue to exist as a Church and sustain their present faith.

The Correct metes and bounds of the above awarded lot are contained in the annexed Survey of I. Met-calf, made on the 1st day of March A.D. 1848.

"Church Yard - Kawaiahao."

"Commencing at Mauka E. Corner of this Yard on Makai side of Church Street-(or Broadway-) joining

Mission Street- and Running N 67° W. 5 Ch. 39 Ft. along Church to Kawaiahao St. at N. Corner of this lot- Thence S. 51° 45' W. 9 Ch. 38 3/12 Ft. along Kawaiahao St. to water St. at Makai W. corner, this lot- Thence S. 48° 15' E. 5 Ch. 29 Ft. along ~~Water~~ St. to lot- Claimed by Kolulu Thence N. 50° 45' E. 3 Ch. 13 2/12 Ft. to N. Corner of Kolulu's lot at lane- Thence S. 40° 15' E. 3 Ch. 62 3/12 along lane to Mission St. at Makai E. Corner of Kolulus lot- Thence N. 55° 15' E. 35 Ft. across lane to Corner of the school house part of this land (the area of this land is not included in the Calculation) Thence N. 35° 15' E. 4 Ch. 18 1/2 Ft. along Mission to Bingham St. Thence N. 62° W. 1 Ch. 29 8/12 Ft. to Corner- Thence 27° N. 45' E 4 Ch. 23 9/12 Ft. along Mission St. to place of Commence! including an area of Acres 7 15/100



Board of Commissioners for Land Claims
Adjudication of C. 635 - Kawaiahao Church - $ ¢

To Incidental expences Log Comⁿ		1	
Action of Board on 21 February 1848		1	
draft statement of Claim in engross-deed			
" Testimony reduced Eng^d - 21 Feb^y 48	$12	6	75
Survey by J. Metcalf of land Claimed		5	
Engrossing Survey	$1	2	
Report of Commissioners this day rendered on the above Claim		5	
Amount remitted, by decision of the Board, of all costs not involving actual outlay, attending claims of Religious & benevolent Societies.	$	20	75

Dr to Board for Survey and expence incurred $10.

Kale Kaulula — Sworn to before me W. L. Lee
23 January 1849 — W. Smith
J. McKinnon
D. Kaauwai

The award is only for the first lot of land of 615 acres as given in the survey

Claim № 692 Louis Gravier.

This is a Claim to a land situated in the district of Waialua in the Island of Oahu, known by the name of "Paukauila", and Consisting of five distinct and seperate pieces.

The only witness introduced to the Board by the Claimant is H.E. Gov.r Kekuanaoa, who testifies that Governor Kuakini (John Adams) told him that he had given this land to the Claimant, and that the Claimant has had the same in quiet possession from the Year 1837 or 1838 to the present time. But he further testifies, that Kuakini had no right to transfer this land to Claimant; as it was not his to give: that he, Kekuanaoa

has always been the Konohiki of the land; and that the claimant has lived under him, possessing and enjoying no greater rights than any other tenant.

This Evidence is far from supporting the present Claim; but H.E. Geo. Kekuanaoa, having at the solicitation of the President of the Board, Consented that a freehold title less than allodial might be awarded to the Claimant, We do therefore Award to Louis Gravier a freehold Title less than allodial, or in other words a Life Estate in the land of Paukauwila in the district of Waialua aforesaid, according to the metes and bounds set forth in the annexed Survey made by T. Metcalf on 10th day of March A.D. 1848

This Award is upon the Express Condition, that the Claimant is to respect the rights of native Tenants to the fullest extent, and with this reservation: the Claimant may Commute the freehold Awarded to him, into a Fee-Simple title as prescribed by law

"Notes of Survey of Paukauwila in Waialua Oahu" "Commencing at Rock on E. side of Kaiaka bay, called Pohakukani, being the makai N.E. Corner of this land, and Running S. 65° 45' E. 3 Ch. 36 1/2 l. along rocky edge of bay to path by sand beach. Thence following around mauka end of bay at high water mark to mouth of River at mauka S. corner of Kaiaka bay. Thence S. 23° E. 11 Ch. 52 8/12 l. across Kahi River, to stake at boundary line between this and Manamii. Then following along up the very irregular boundary line between this and Manamii to mouth of Kahikia Gulch. then along bottom of Kihikia Gulch up to its intersection with Kalia Gulch - the S.E. Corner of this land. Then following along down boundary line between this & Kalia to side of Stones on makai side of River near houses at Palaa. then along boundary line between this and land called Palaa to mauka S. Corner of Kaiaka Bay P.t Commencement

Containing an area of Acres 6.15

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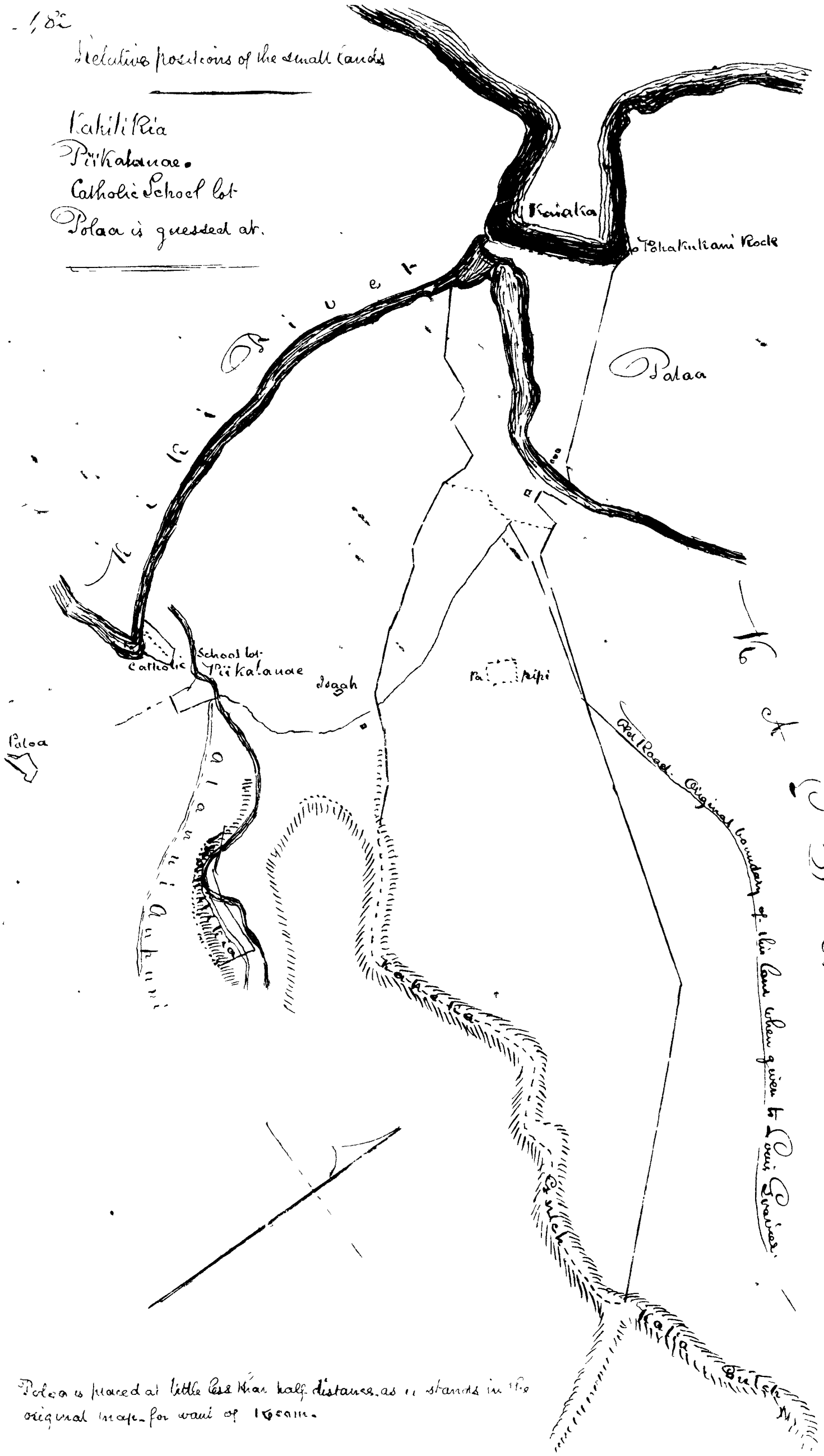
Relative positions of the small lands

Kahili Pia
Piikalanae.
Catholic School lot
Palaa is guessed at.



Palaa is placed at little less than half distance as it stands in the original map for want of room.

"Also of small land called Kahilikia in Nuapali Gulch belonging to Pauhauwila"

"Commencing at Rock on upper edge of Pali at S. Corner of this land. and running N. 9° 30' E. 6 Ch. 39 7/12 Lk. down Pali and across W. branch of stream to Rock marked + at E. Corner of this land. Thence N. 84° 15' W. 10 Ch. 52 8/12 Lk. to point Angle near junction of streams. Thence N. 67° 45' W. 7 Ch. 52 8/12 Lk. along right bank of stream to point 3/4 Ch right of it. Thence N. 35° 30 W. 6 Ch. 29 8/12 Lk. along and across stream to large Rock on left edge of stream. the Makai N. Corner of this land. Thence S. 25° 15' W 2 Ch. 20 Lk. to Rock on upper edge of Pali. the Makai W. Corner of this land. Then following along upon upper edge of Pali to place of Commencement. including an area of

Acres 15 8/10

"Also of Land called Piihalauae belonging to Pauhauwila."

Commencing at N.E. Corner of this land at crossing of the Aupuni road at Stream, and running S. 11° 15' W. 2 Ch. 14 1/2 Lk. to Rock marked + at slight angle. Thence S. 14° 45' W. 3 Ch. 55 3/12 Lk. to Rock at S. Corner of this land. Thence N. 82° W 3 Ch. 3 1/12 Lk. to stone wall at S. W. corner of this lands. Thence N 6° 45' E. 3 Ch. 20 Lk along stone wall to slight angle. Thence N 5° W. 2 Ch. 41 Lk. along wall to stream at N. Corner of this land. Then following up along stream to place of Commencement. Including an Area of

Acres 2 23/100.

"Also of Catholic School-house lot, belonging to Pauhauwila"

"Commencing at small hau tree on E edge of Piihi River, at Canoe-landing. the Makai W. Corner of this land, and running N. 74° E. 7 Ch. 13 2/12 Lk. along land called Keoneula to small Wiliwili tree at Makai N. Corner of this land. Thence S. 21° E. 1 Ch. 31 3/12 Lk. along land (Mane unknown) to angle. Thence S. 35° E. 1 Ch 1 1/12 Lk. to E. Corner of this Land. at Makai. Thence S. 56° 30' W.

5 Ch. 4 7/12 Ft. along Mahu to River. Then along down River to place of Commenc! including an area of
Acres 2 29/100

"Also of Poloa belonging to Pautrauwila -
(All of above small lands are in Manamui)
" Commencing at N Corner of this at corner Taloptatch - joining Mahu and Poloa. and running N. 83° 30' W. 2 Ch. 28 7/12 Ft. along Mahu to stake at corner. Thence S. 22° 3/4 W. 2 Ch. 29 5/12 Ft. along Mahu to Breadfruit Stump - angle - Thence S. 56° W. 2 Ch. 56 7/12 Ft. along Punamui to stake at W corner of this land. Thence S. 26° 15' E. 21 1/2 ft. to Stake at corner - Thence N. 73° 15' E. 5 Ch. 43 ft. along lands called Waialua and Mahu to stake, Corner, near house - Thence S. 15° 30' E. 1 Ch. 1 1/12 ft to Stake at Corner - Thence S. 70° E. 1 Ch. 9 3/12 Ft. along land called Kuanopili to Stake at E. Corner of this land - Thence N. 22° 45' W. 3 Ch. 5 3/12 ft. to Place of Commence! Including an area of
Acres 1 28/100

March 10 - 1848 J. Metcalf Surv.

Adjudication of Cl No 692. Louis Traver - Def.

Incidental Exps. and action of Board 7 Jan 1848		2
Draft Depos. of Claim reduced fol 1 and Citation		1
draft testimony red & Engd	fl	75
Survey of J. Metcalf Cl 692 (5 lots)		60
Engrossing Survey	fl2	6
Report of Commissioners this day rendered on the above Claim		5
		74 75

Pule Kauwila
22 January 1849

Lorenzo Lee
W. L. Lee
I. H. Smith
Commissioners

L.C.S.

Claim No. 601. Alexander Adams

This is a claim for a House lot, situated in Honolulu, Island of Oahu.

From the testimony of Mr. Ii and Gov. Kekuanaoa it appears, that the Claimant received this lot in time of Kamehameha I, in part remuneration of his services as the Kings Sailing Master, and that he has had undisputed possession of the same the Year A.D. 1822.

The Claimants title is a clear one; And we do hereby Award to Alexander Adams, a Freehold title less than allodial in said lot, according to the limits and bounds set forth in the annexed Survey made by T. Ine. esq. Esq. 15th Feb. 1848.

This Board have no power, by either the Common or Statute Law of the Land, to Confer a greater title upon the Claimant, than that above awarded; But considering the Services of the Claimant, and the number of his Children: We would earnestly recommend to the King in Privy Council, to give to the Claimant, a Fee simple title for the same.

"Survey of House lot Honolulu"

"Commencing at Mauka E. corner of this lot on E. Branch St. joined by lot owned by Mr Jayne at the end running S. 29° 45' W. 1 Ch. 2 8/12 Ft. along Branch St. to stake angle. Thence S. 31° W. 3 Ch. 9 3/12 Ft. along Branch St. to Hotel St. at Makai E. corner of this lot. Thence N. 63° 30' W. 2 Ch. 6 7/12 Ft. along Hotel St. to John Dukes lot at Makai W. corner of this. Thence N. 31° 15' E 29 8/12 Ft. along John Dukes to Sea. Then offset 1 1/2 Ft. West to old Bowling alley thence N. 38° 30' E. 22 1/12 Ft. along and to E. Corner of Bowling alley. Then offset 2 Ft. West along bowling alley to French Hotel premises. Thence N. 38° E. 1 Ch. 46 10/12 Ft. along Sands.

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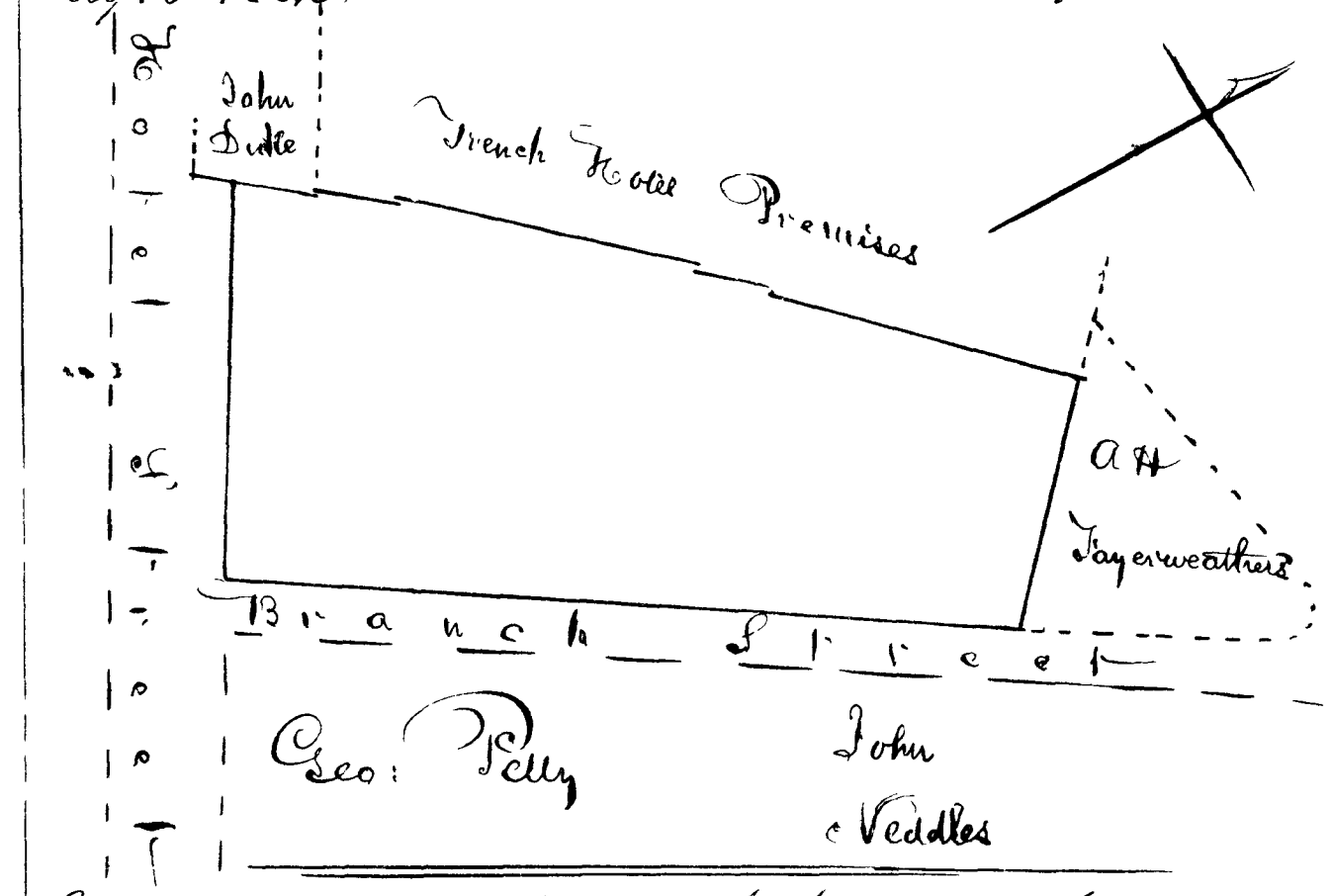
hotel premises - Owned by Mrs Lowsett to Cook house -
Then offset 4 12/12 Ft. to right to S. Corner of Cook house -
Thence N. 42° 30' E. 24 4/12 Ft. along to long mud house -
Then offset - 3 4/12 Ft. to right to S. corner of mud house -
Then N. 41° E. 1 Ch. 49 10/12 Ft. to A H Jayenweathers
lot at Mauira N. corner of this - Thence S. 49° 30' E.
1 Ch. 25 8/12 Ft. along Jayenweathers lot to place of
Commencement - including an area of -

Fathoms 977

J. Metcalf Surv:

Feby 15 - 1848.



Costs - adjudication of C. 801. - A Adams - £1

To Incidental expences £1, action on 19 Jan^{y} 1848 £1 2
Draft deposition of C. 1 - Citation 4/50 1 50
Draft test^{y} on 19 Jan^{y} - 1848 £1 25
Survey of J. Metcalf 5
Engrossed Copy of do £1, 2
Report this day rendered on the above
Claim 5
16 25

W. L Lee
J. H Smith
H. M. C. A.
D. Kaurimai
Interpreter

Hate Mauiria
29th January 1849

Claim N.° 802 Alexander Adams

This is a Claim for a tract of Land called "Niu," in the district of Waikiki Oahu; consisting of 2.1.12 acres and a Kalo land belonging to "Niu," called "Kawaiaala", Consisting of 1. $\frac{13}{100}$ acres.

From the Testimony of Gov.r Kekuanaoa, and M.r Ii, it appears, that the claimant was created Lord of Konohiki of this land in the time of Kamehameha I, and that he has exercised the Konohikiship of the same, without dispute ever since the Year of our Lord 1822. It further appears, that the claimant obtained his Rights in this land in the same way that he obtained his Rights in the land comprised in the claim N.° 801: namely, in remuneration for Services rendered the King as Sea Captain or Sailing Masters.

The Board are of the opinion, that the Claimants Rights in these Lands are as large as those possessed by any Chief or other high.k Konohiki in Lands possessed by them; namely a Freehold title less than allodial, subject to the Rights of Tenants.

We do therefore award to Alexander Adams, the Claimant; a Freehold title less than allodial, in the Land of "Niu"; and in the Kalo Land of "Kawaiaala" according to the Metes and bounds of the annexed Surveys, made by J. Metcalf Esq. on 12.th day of Febru.r A.D. 1848 The Claimant is to respect the Rights of all Tenants of these lands; and may Commute this Title for a Fee-simple, as prescribed by Law.

"Notes of Survey of "Niu", in Waikiki"

"Commencing at Rock marked + at inland S.W. Corner of this land by spring of water pouring Waialua at Sea and Running N. 29.° 30.' W. 52 Ch. 39 $\frac{7}{12}$ Ch. to the Pali and along middle of Ridge seperating Niu from Nuuanu Valley to large Rock at angle thence N. 14.° W. 44 Ch. 16 Lk. along Waialua on top of Ridge to a tree on east bare point at foot of woods thence N. 15.° W. 76 Ch

along Waikupe to Mauka N. W. peak of this land on top of Mountain next to Koolau. Then following along on top of Mountain Ridge, the Mauka side of this land and Koolau to Mountain peak at Mauka E. peaks of this, to land called "Kulioouou" in Koolau, Then following along down Ridge seperating this from Koolau to Rock on top of Sea Pali little above Sea - Thence S. 33° 30' E. 6 Ch. 39 1/2 ft. down Pali along Kulioouou to Rock near Corner of Kalo patch little above Sea, at the Makai S. E. Corner of this land; Then along Sea to place of Commencement This land has a Sea beach as marked on Map. and Contains an area of

Feb. 14. 1848 Acres 24 42

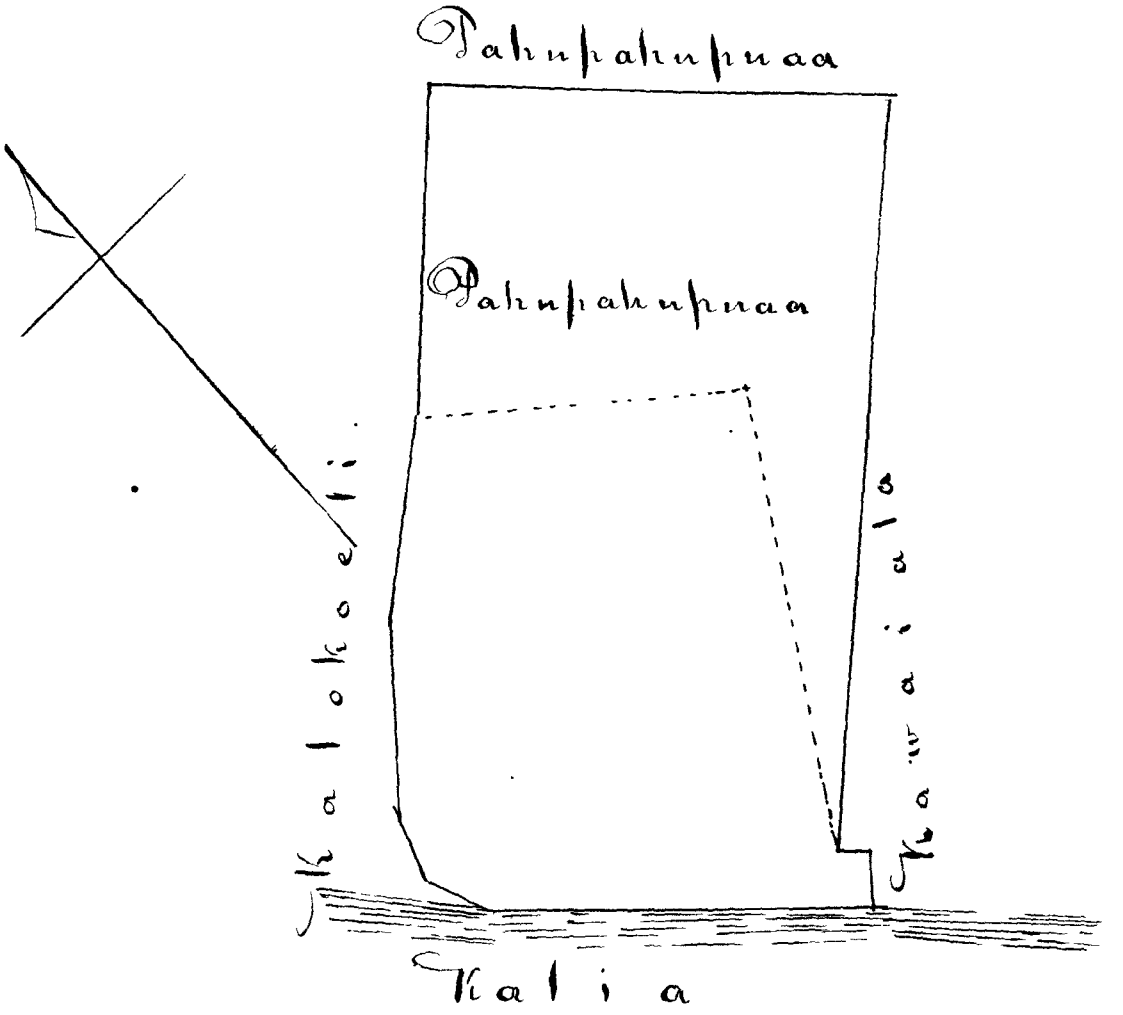
See Page 490 for diagram

"Notes of Survey of Kalo Land in Waikiki called Kawaiaala alua in Niu"

"Commencing at Makai S. Corner of this land on Mauka side of Stream called Kalia, and running N. 44° W. 3 Ch. 63 1/2 ft. along Kalia Stream to Slight angle - Thence N. 19° W. 58 ft. to Makai W. Corner of this land - Thence N. 24° 3/4 E. 46 1/2 ft. along Kalokoali to slight angle - Thence N. 43° 45' E. 2 Ch. to slight angle - Thence N. 55° E. 2 Ch. 11 1/2 ft. along Kalokoali to slight angle - Thence N. 48° 30' E. 3 Ch. 33 8/12 ft. to Mauka N. Corner of this land - Thence S. 42° E. 1. Ch. 63 1/2 ft. along Pahupahu apuaa to Mauka E. Corner of this land - Thence S. 51° W. 8 Ch. along Kawaiaala 182 to Corner - Then offset - 21 10/12 ft. to left to Corner - Thence S. 42° 30' W. 38 3/12 ft. to place of Commencement including an area of

Feb. 14. 1848 Acres 4 13/100

J. Metcalf Surv.



Costs. Adjudication of Ce. N° 802. Alex". Adams Jr.

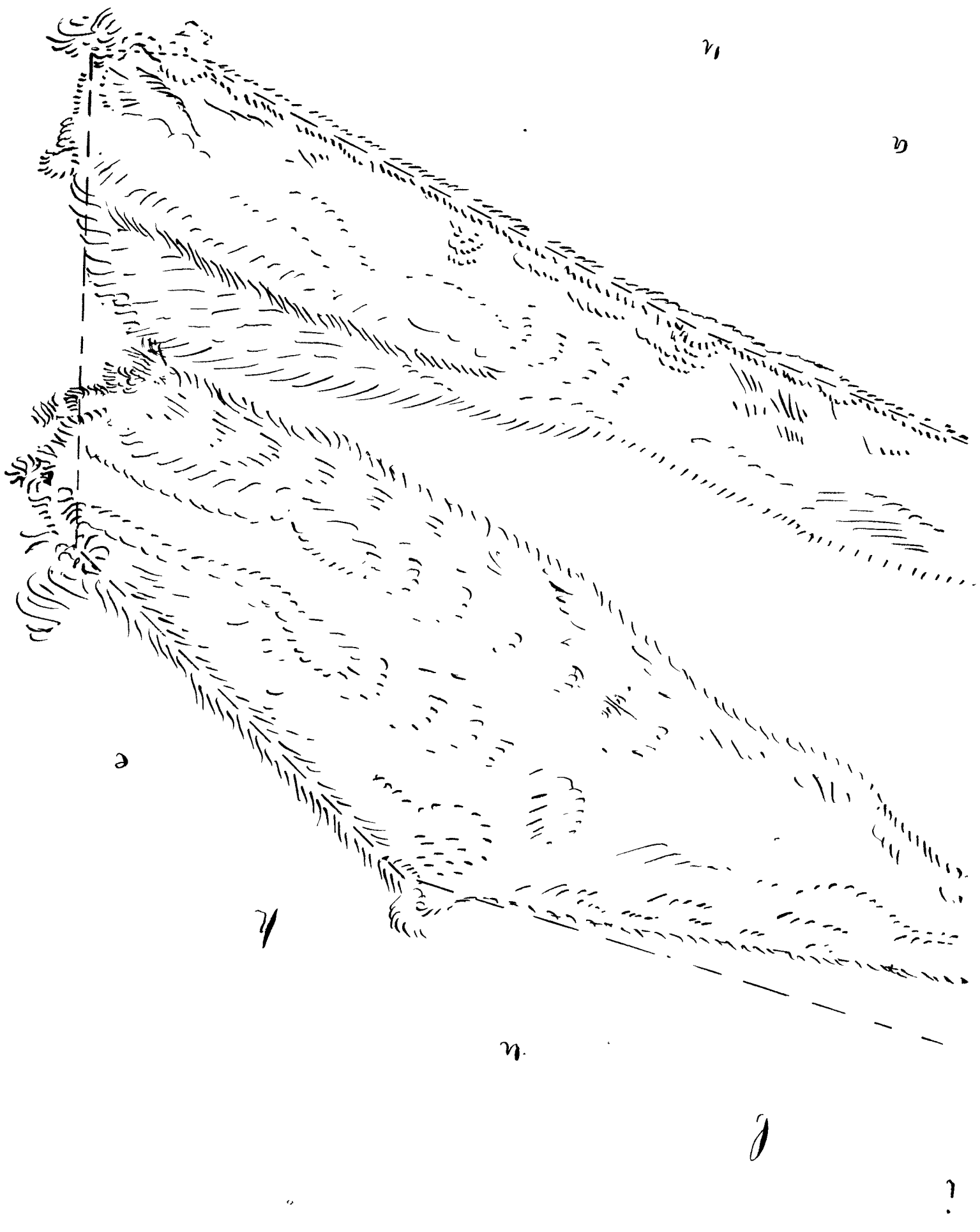
To Incidental Expences &			1
action of Commiss". in this Cl. 19 January 1848			1
draft deposition of Cl. reduced			1
Citation			50
draft testimony Reduced & Engd. on 19 Jan.		$1	75
Survey of J. Metcalf for two lands			20
Engrossg. Copy of do		$12	6
Report this day rendered by Commissioners on the above claim			5
			35 25

Hale Kauwila
29 January 1849

W. L. Lee
J. H. Smith
L. McKeague
L. Konanui
Commrs

190

Pagsley. Cl. 802.



Niue - Waitiki

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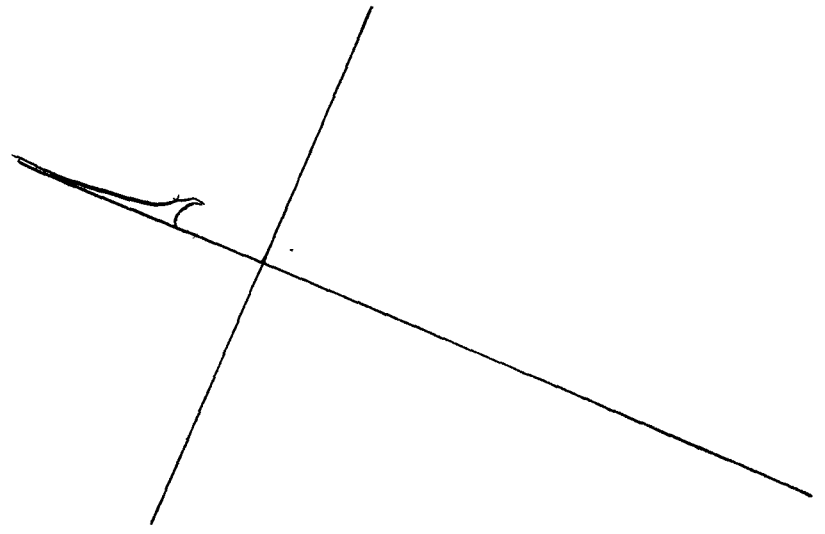
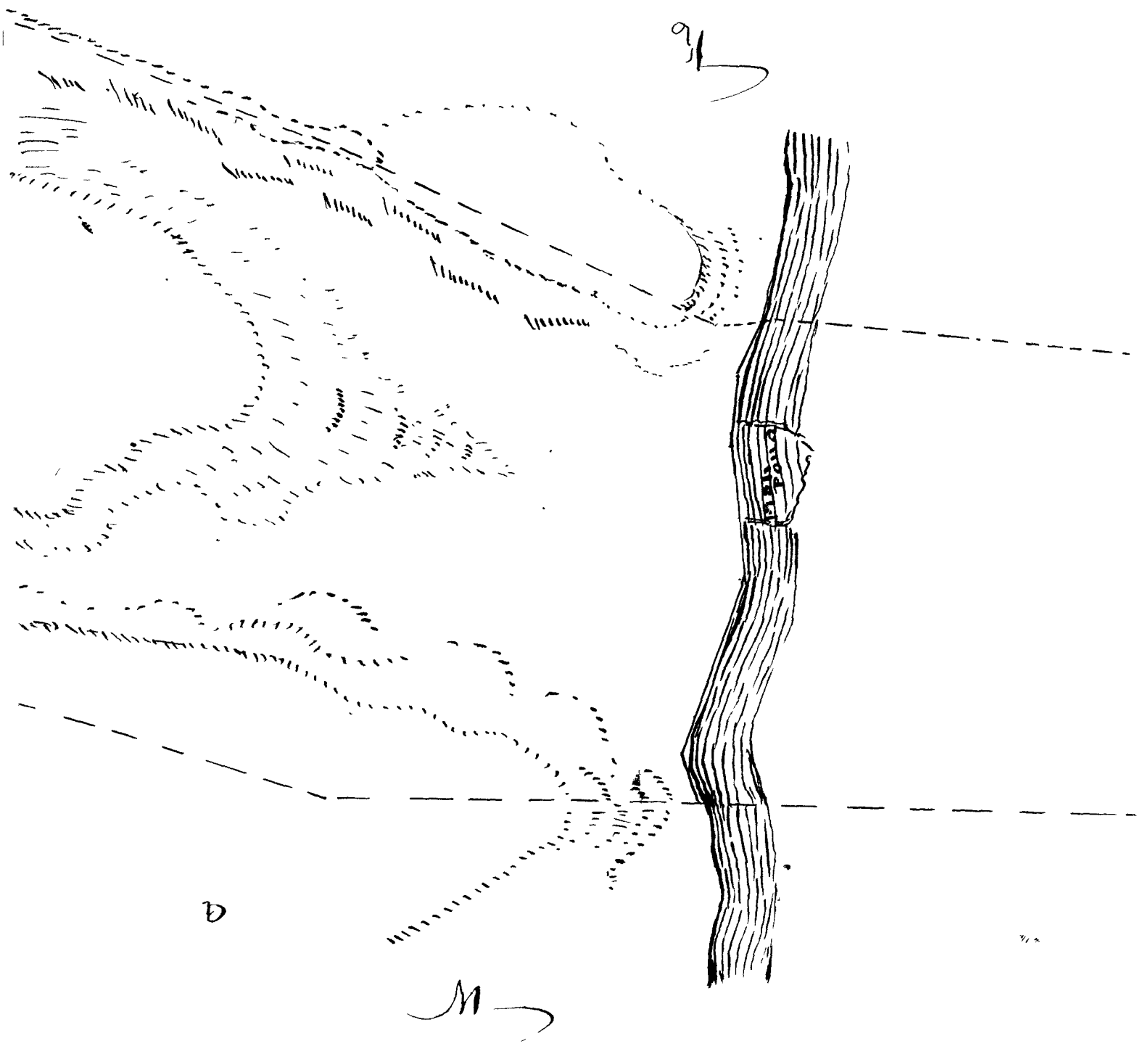




Claim N° 133 William Crowningburgh

This is a claim to a Land in Waikapu, Island of Maui, known by the name of "Pohakoi"

From the Evidence it appears that the claimant, owning in right of his Wife, a small land in Waikapu, by the name of Tilipili, exchanged the same with Papahoehoe, in the Year A. D. 1832 for "Pohakoi," the land now Claimed; and that he has Continued to occupy the same in peace down to the present time.

This Title is made clear by the first Rule of the Board; and we do therefore award to the aforesaid Claimant William Crowningburgh, a freehold title less than allodial; or in other words a life Estate in said land; which he may Commute for a fee simple title as prescribed by law.

The Survey of the above awarded Lands is as follows:-

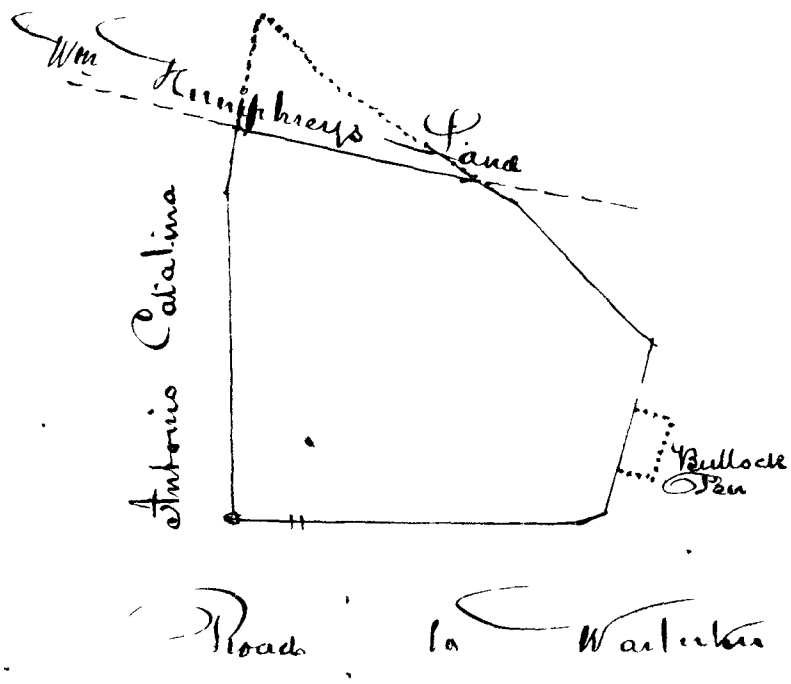
"Notes of Survey of Pohakoii in Waikapu Maui"

"Commencing at S. E. corner of wall enclosing this lot joining Antonio Catalena's land, and Running N. 8° 30' W. 7 Ch. 6 7/12 Lks. along E. Wall to angle - thence N. 25° W 39 7/12 Lks. to N.E. Corner of this lot - thence S. 82° 15 W. 3 Ch. 60 Lks. along N. wall to angle - thence S. 37° W. 4 Ch. 19 10/12 Lks. along wall to angle - thence S. 23° 15 W. 39 7/12 Lks. along Wall to Wm Humphreys land - Thence S. 4° W. 5 Ch. 17 2/12 Lks. along Wm Humphreys to S. W. Corner of this land - Thence S. 87° E. 1 Ch. 27 8/12 Lks. along A. Catalena's to angle of Wall. thence direct to place of Commence"

Including an area of Acres 5 93/100

Metcalf Surv

Sep 29 - 1847.



Costs. C. No 433. William Bowningbugh — &c
Adjudication.

To Incidental Expences of Comm.rs		1	
Action of Comm.rs in the above Cl. 21 Dec 1846		1	
dr. deposition of Cl. & Witness	$1		50
" testimony read & long &c	$1		75
Survey of J. Metcalf		3	
" Engrossed Copy of same	$3	1	50
Report of Commissioners this day rendered on the above Claim		5	
		12	75

William L. Lee
J. H. Smith
D. Hammond
Samuel M. Hamilton
Commrs

Alta California
March 25th 1849

Claim № 152 William Sumner Jen:

This is a claim for a tract of land in Moanalua, Oahu
In support of this claim, the Claimant has produced an indisputable deed from the King Kamehameha 3 Hoapili Kane, bearing date November 6th A.D. 1839, the translation of which is as follows: -

" Hoapili Kane bargains with William Sumner for
" a piece of land and land up the Mountain of Moanalua
" for the term of 55 Years from this date; in which the said
" William Sumner shall give to the said Hoapili Kane or
" to his heirs the sum of fifty dollars. So he shall continue
" to do, and also his heirs, to pay the sum of 50 dollars for
" every Year for the above said number of Years, after which
" time, the said William Sumner and his heirs, may continue
" to live there without paying the above sum. They shall
" pay however the accustomed land tax, or be liable to
" lose it. The said William Sumner shall not sell the
" same, but it shall be heritable by his heirs born on
" these Islands. His Heirs shall enjoy protection on
" the above place, called Moanalua; but in no other
" place shall they go thither. His Herds also shall be
" protected by the Konohiki, lest they be killed without
" Cause, but if the Common people wish to go up the hill
" for house timber, or fuel, or any other property, the produce
" of the Mountain, they may go for the supply of their wants.
" This privilege belongs only to the Residents of Moanalua
" it belongs to no others; lest the herds should receive
" injury by others not belonging to the place. If the Herd
" shall not remain unmolested according to the provisions
" herein mentioned: then all men shall be prohibited
" from going to the Mountain: No one of the Common
" people of Moanalua shall go up without the Consent
" of the Keeper of said Herd: That shall be the result
" of disturbing the peace of the Herd. But if the
" Herd trespass, and eat the food of the Common people,
" then each animal shall pay according to the food des-
" troyed. If the Common people of Moanalua may wish

See Native Register Page 136 V. 1 for copy of Hawaiian orginal.

to bargain for any thing that grows of itself within the region
that is otherwise prohibited from them, they may do so
by paying to the said William Sumner one fourth part
received from such place

"In the truth of this agreement- we affix our names
" this 6th day of November in the Year of our Lord
" one thousand eight hundred and thirty nine at
" Honolulu, Oahu"

Signed Kamehameha III
Na Kauikeaouli
William Sumner

"Witness William Richards

We do hereby Confirm said deed; and award to William Sumner and his Hawaiian-born heirs, the aforesaid land; as described in the annexed Survey, to have and to hold the same, upon the terms and Conditions of the above named deed.

For signatures &c see
Liber Deeds P 506.

Notes of Survey of Moanalua- Oahu

Commencing at Large Rock at Mauka E Corner of Fishpond Wall- Cattle N. of Island Called Moku-moa, the Extreme Makai boundary point between this land and Kaalaki and Running N 16° E. 6 Ch. 30 lks along foot of Bank to angle- Thence N. 2° W. 17 7/100 ch. to angle at the Mauka of Road leading to Honolulu- Thence N 9° W. 19 Ch. to path, angle- Thence N 28° E 58 Ch. along bye East side of hill Called Puhapu, and to top of main Ridge forming boundary between this land & Kaalaki. Then following along up on top of this main Ridge to a Mountain peak Called Keaahi at Mauka E Corner of this land to Koolau-( ) Thence N. 43° 30' W. 117 Ch. along Koolau to Mountain peak Called Kaiinakolea at Mauka N. Corner of this land to Kalawa. Thence following along down Ridge Called Hanauma- the

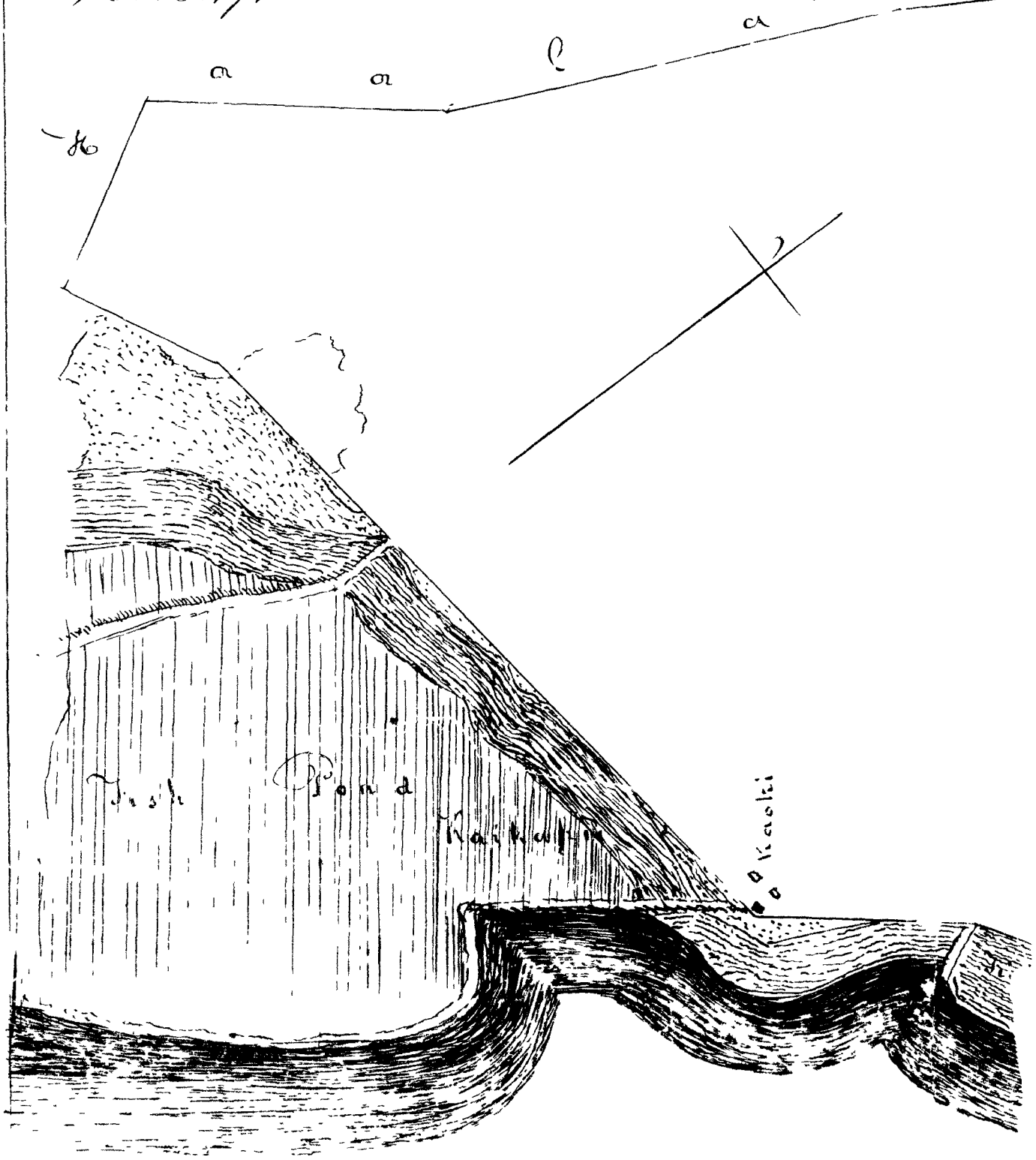
196

boundary line between this and Kalaeva - and along Kalaeva to extreme (makai) W. Corner of this land. ( ) Thence S. 26° E. 35 5/100 Ch. along makai end of this land to extreme S. Corner -- Then along high water mark to point opposite of Mokapilo Islands. ( ) Then running along edge of Bay and foot of Ridge (crater) and around - excluding all the low kalo land formed by the Streams Kamanamui and Kamanaiki, near their mouth, to the place of Commencement - ( ) Including an area of

Acres 6918

Feb 13 - 1849.

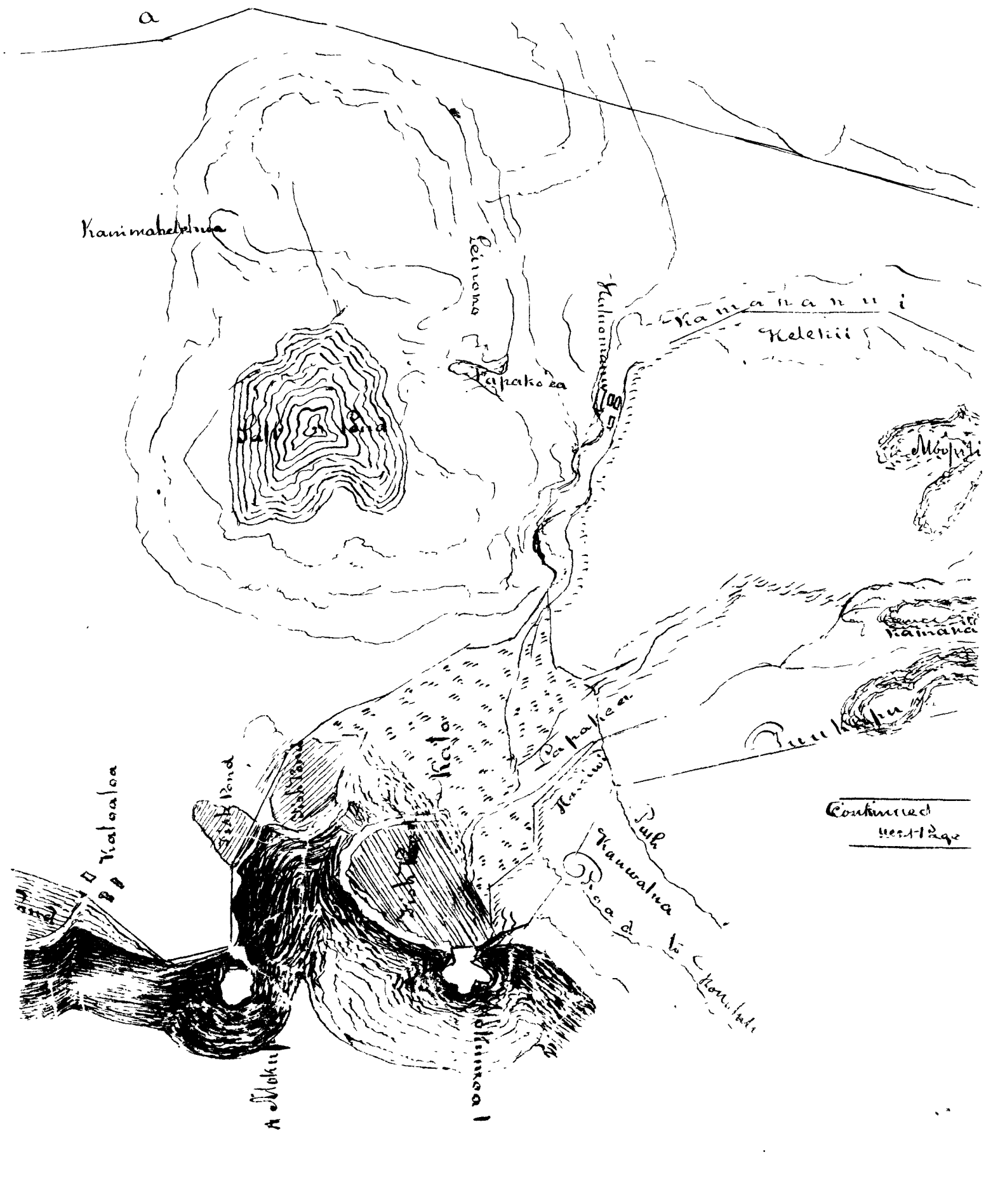
J. Metcalf Sur. W



Hawaiian

21 ch. to the Inch

one Mile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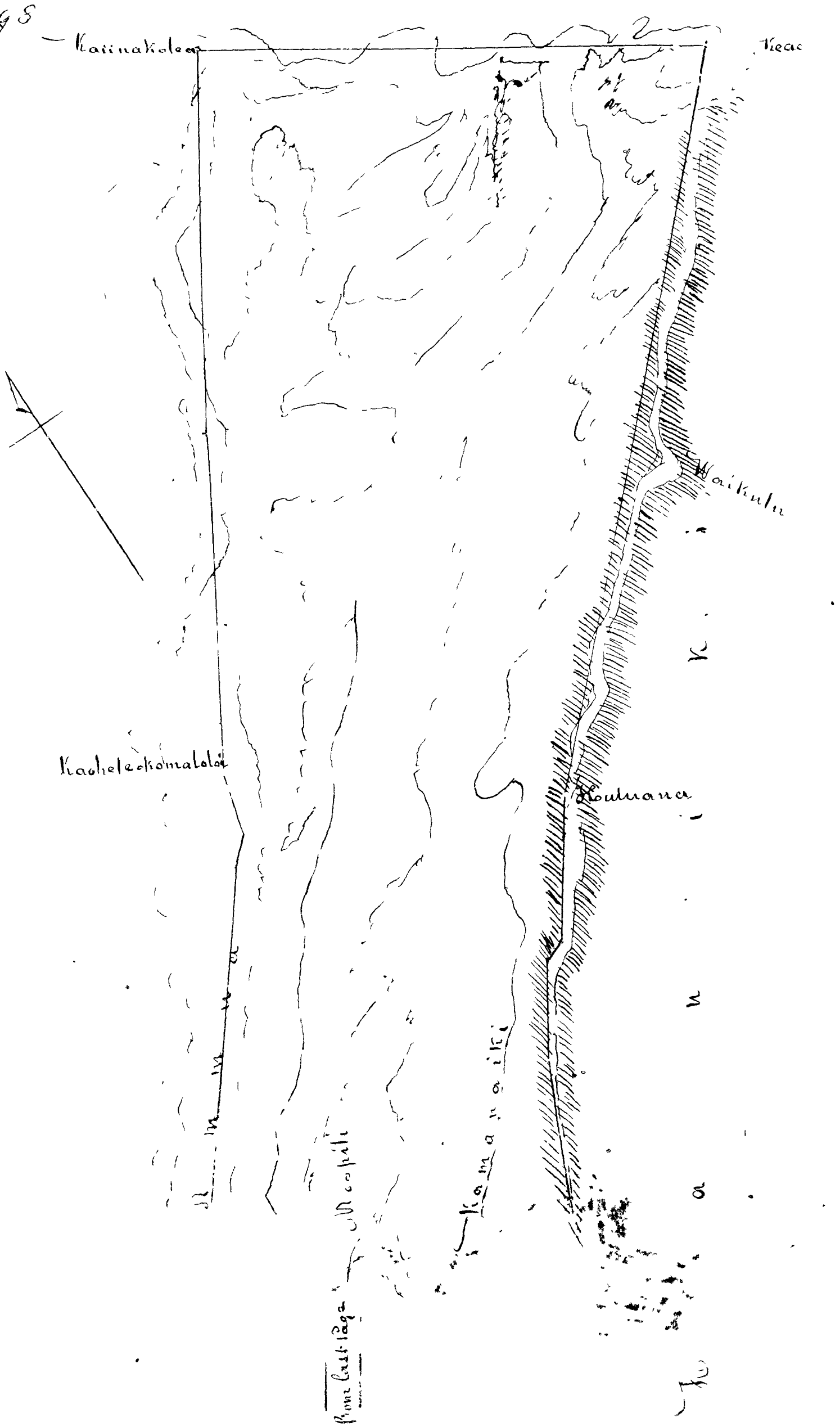
Kaahelekiomalolai
Kaulana
Kaiakulu

Claim 153. William Sumner Sen!

This is a claim for a certain farm situated in Honolulu Island of Oahu, called "Kahaohao", and having connected with it a fishing Ground. known by the name of "Kahola loa"

From the Evidence submitted to the Board, it appears, that on the 17th day of April A.D 1840. the aforesaid farm and fishing ground were granted by Kamehameha IV. and the Premier, Kekauluohi, to Wm Sumner, Claimant and his Sandwich Island born Heirs for Ever. After giving a description of the Lands, the Grantors use the following language; "Said grounds as thus described are for William Sumner, and his Sandwich Island born heirs for ever: but they have not the right to transfer the ground to any other than a Native born Citizen of the Sandwich Islands".

See Native Register V. 1. Pp 134 original Hawaiian land copied in Vol 2 Testimony in translated land C. Pp

About the validity of the above named Conveyance from the King and Premier to the Claimant and his Hawaiian Heirs, there can be no question; and we do hereby Confirm the same; And award the aforesaid farm and fishing Ground, according to the description Contained in the deed of Grant above recited, to Wm Sumner and his Sandwich Island born heirs for Ever

"Notes of Survey of Kahao (Kahaohao) Honolulu"
"Of the Kula and Kalo Part."

"Commencing at pile of stones on old wall at E. corner of Kula part joining Kahololoa (this) Sea. and Running N. 31.° 45' W. 1 Ch. 9 3/12 ft. along Kuili M. Kekuanaoa's land to corner of fence. Thence N. 12° 45' W. 8 Ch. 58 ft. along old Maika way to stone wall. the Mauka N corner of this Kula land. Thence S. 57.° 45' W. 2 1/4 ch. along Wall and fence. Thence S. 33.° W. 1 Ch. 27 ft. to Kaa land corner. Thence N. 6.° 30 E. 1 Ch. 21 10/12 ft. along Kuauna to angle. Thence W. 57.° E. 1 Ch. 59 5/12 ft. to E. corner of this Kalo land. Thence N. 17.° 45' W. 10 3/4 Ch. always along Kuili to Kapuahua at Mauka angle of this. Thence W. 3 Ch 12 3/12 ft to Water Courses angle. Thence S. 40.° 30' W. 11 Ch. 13 7/12 feet along

56.C

Water course to W. corner of this Kalo part - thence S. 35° E. 3 Ch. 18½ Lks. along Water course and land called Kaukahootuui to angle - Thence S. 42° 15' E 1 Ch 52 2/12 Lks. along Water Course, angle - thence S. 57° 30' E. 1 Ch. 45½ Lks. along Water course, angle - thence S. 71° E. 1 Ch 56 7/12 Lks. along Water Course to angle - thence S. 70° 30' E. 2 Ch. 27 8/12 Lks. along Kuauna to Corner - thence S. 20° 30' W. 63 1/2 Lks. to angle of fence to little makai of croton oil tree to Kula part - thence S. 31° 15' E. 2 Ch. 6 Lks. to angle of Kula part - thence S. 48° 30' W 8 Ch. 61 1/2 Lks. along salt pans to angle - Thence S. 60° 15' W. 8 Ch. 45 Lks. along salt pans to coral Rock marked + angle - thence S. 25° 45' W. 2 Ch 41 Lks. to Rock (in sea) at extreme makai point of this Kula part to Kahololoa sea - then along Kahololoa sea to place of Commencement

Including 21 6/10 acres of Kula - and 13 acres of Kalo land -

The Sea & Reef part are bounded as follows

Beginning at Rock at extreme makai point of the Kula part belonging to this Kahao - and Running S. 73° W. 75 32/100 Ch. to makai Corner of Iwilei fish pond - thence N. 22° W. 11 8/100 Ch. to stake at Kalihi Sea - thence S. 60° 30' W. 6 92/100 Ch along Kalihi Sea to large Rock - angle - thence S. 27° W. 25½ Ch. to large Rock at W. angle of this Sea at Kamoku Sea - Thence direct to Halau (Canoe) entrance at outside breakers - Then following along outside breakers to mouth of Channel leading into Honolulu harbor - then along Makai and W. side of Channel to stake on Pai Makua (P.) Fire - along bend on W. & Makai side of harbor in 5 Ft. Water (vide Red dotted line on map) to point on north Breakwater 75 4/10 Ch. makai of "Iron bolt in Coral rock at Mauka E. corner of Water Lots - thence N. 20° 15' W. 10½ Ch to stake at corner of old fish pond wall - Thence N.

10°-15' E. 9 93/100 ch. along olu Fish ponds Wall to point of Commencement in survey of Kula part Tile Stones—

Feb. 20- 1849. "J. Metcalf Sur."

"Note- the above Survey of Reef is the best I can do with my present Instruments-" J. Metcalf Sur.

See diagram Page 562.

Costs- Adjudication of C. No 153. Wm Sumner this Heirs - Dr

To Incidental Expences	£ —	—	1
Action of Commencement 29th Sept: 1848	£1		1
Draft deposition of C. 1ed d	£1		50
Citation & test 3 ned d and Engr. on 29 Sept	£1		1
Engrossg Copy of Original deed	£3		1 50
do do J. Metcalfs survey	£12		6
Charge of Surveyor			30
Report of Commissioners this day rendered on the above Claim			5
			46

William L. Lee,

Hale Kauwila — J. H. Smith

Honolulu — W. Kaunuai

March 5 1849 — T. M. Kamakau

Secretary

502

Claim NC 151. William Sumner Len.!

This is a claim to a land situated in the district of Waikiki, Island of Oahu; known as "Kuilei."

From the Evidence taken, it appears, that this land Consists of 4 distinct pieces, and a piece of Sea Called "Ele", beyond Diamond hill, that the claimant obtained this land from King Kamehameha II in the Year 1822 or 1823, and that he and his heirs have had peaceable possession of the same ever since, that there are several tenants, who have Rights in the land, which the Claimants Representative and attorney before the Board States, they do do not wish to disturb

This Claim is a Clear one, and We herbey award to William Sumner the Claimant and his Heirs, a Freehold Estate less than allodial, in the lands of "Kuilei", as described in the annexed Surveys, but it is upon the express condition, that the Said William Sumner and his heirs, shall at all times, respect the rights of Native Tenants to the fullest Extent-

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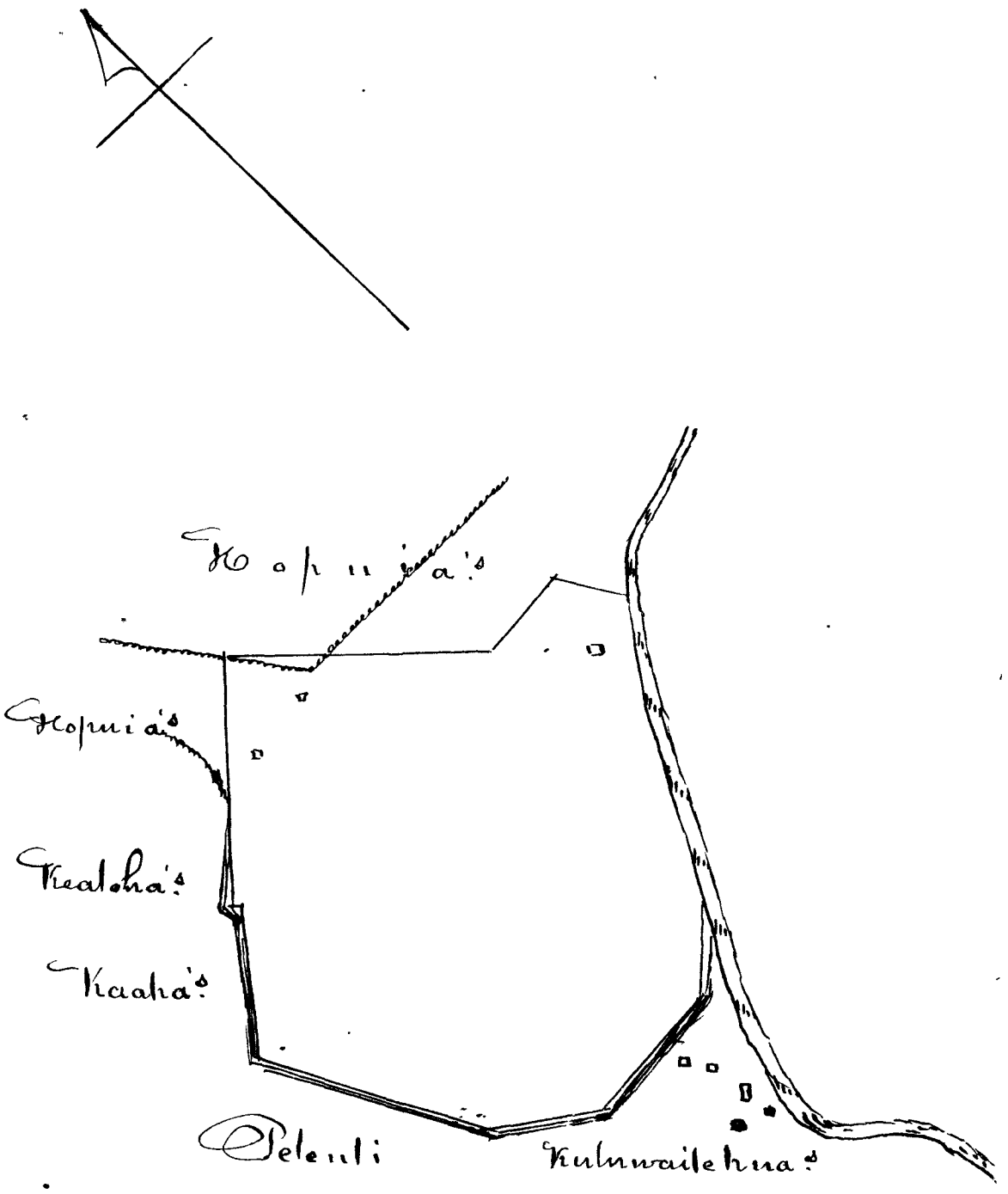
"Survey of lands in Waikiki Oahu, Called, Kuilei" "Kuilei Proper". "Commencing at Mauka E. corner of this land by Waiaka stream on W. edge running N. 36° W. 1 Ch. 59 5/12 Lks. along Kopua's lands to Rock R. marked + at angle. Thence S. 86° 45' W. 2 Ch. 44/2 lks. to Corner. Thence N. 48° 15' W. 6 ch. 10 lks. along Kopua's land to point marked + in stone wall at Mauka N. Corner of this land. Thence S. 45° 15' W. 5 ch. 56 lks. along Kopua's & Nealoha's land to jog. Then offset 19 10/12 lks. left to Corner of Jog. Thence S. 37° 30' W. 3 Ch. 59 5/12 lks. along Kaaha's land to Junction of water Courses. Thence S. 32° E. 6 Ch. 4 7/12 lks. along Water Course to slight angle. Thence S. 55° 15' E. 2 Ch 34 4/12 lks. along to bend of water Course. S. Corner of this Land. Thence N. 80° 45' E. 3 3/4 Ch. along Water Course to bend of it near stream. Then along up Waiaka stream to place of Commence.

Including an area of Acres 11 13/100



"Kuilei Kula"

"Commencing at Makai W. Corner of this land on E. edge of Pahoa stream (from Palolo Valley) and running N. 41° E. 1 Ch. 43 ft. along Pahoa stream, to N. Corner of this land. Thence S. 45° 30' E. 6 Ch. 1 7/12 ft. along land Claimed by Kahana-Maikai, to E. Corner of this. Thence S. 45° W. 1 Ch. 56 7/12 ft. along Kahuahinemii's land to ridge at S. Corner of this. Thence N. 43° 30' W. 6 ch. along Hamohamo (Keahokalole's) to place of Commencement. Including an area of

Acres 1 8/100

"Kuilei Pahoa (Kalo land)"

"Commencing at Makai W. Corner of this land on E. edge of Pahoa stream - and running S. 39° 30' E. 22 5/12 ft. to path at S. Corner of this land. Thence N. 56° 30' E. 1 Ch. 6 7/12 ft. along Kahuaolohe to angle by Water Course. Thence N. 3° 45' W. 3 Ch. 46 2/12 ft. along Water Course - to Mauka E. Corner of this Land. Thence N. 68° W. 26 7/12 ft. along Ridge to Pahoa stream Then along down Pahoa stream to place of Commencement.

Including an area of 92/100 of one acre.

Feb. 6. 1849

J. Metcalf Surv:

Note. Kuilei has a Lea belonging to it Situate on South East side of Diamond head (Leiahi) by the name of Eli.

J Metcalf

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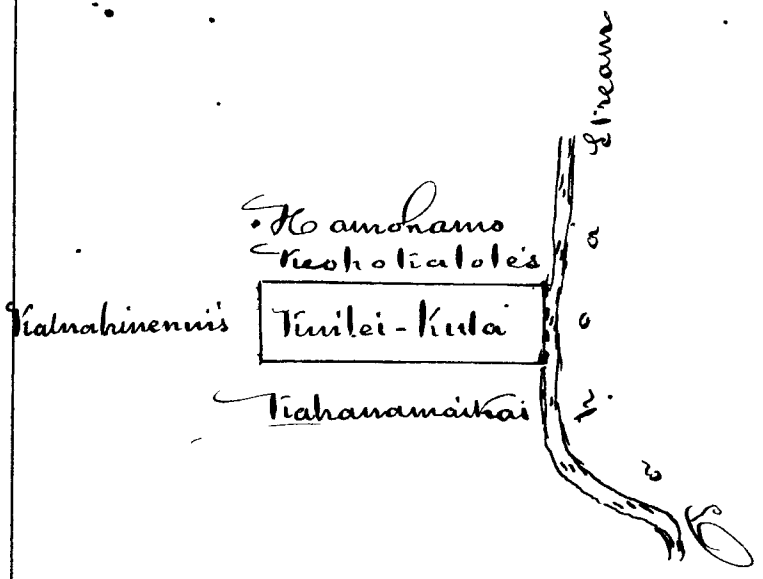
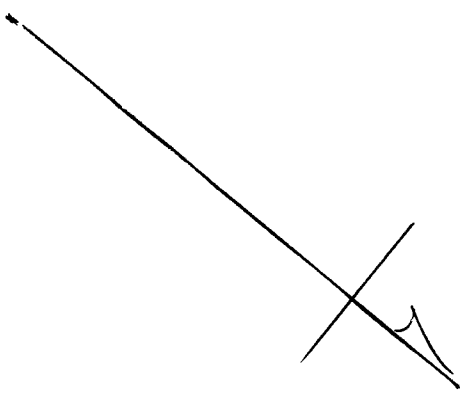
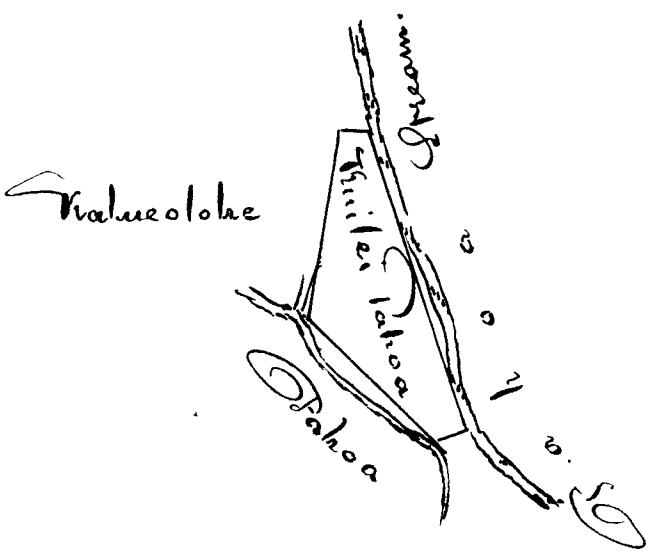
14.74







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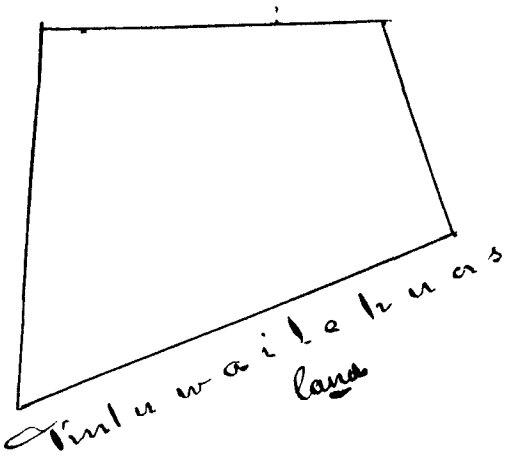
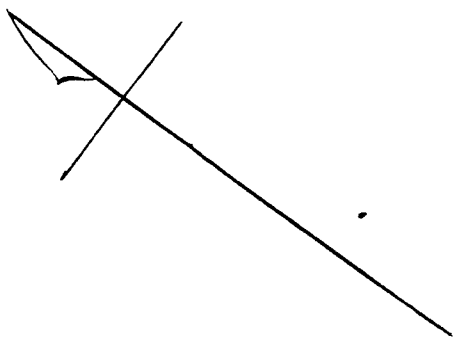
"Loko Kuilei (Kalo Patch - makai in marsh)

"Commencing at Mauka E. Corner of this land on bank and running N. 40° W. 3. Ch. 41 7/12 Lks. along bank to N. Corner of this - Thence S. 53° 30' W. 4 Ch along bank to Kuluwaiehua's land at W. Corner of this - Thence S. 61° E. 4 Ch. 56 Lks. along Kuluwaiehua's land to S. Corner of this. Thence N. 32° 30' E. 2 Ch. 25 Lks. along Bank to place of Commencement - Including an area of Acres 1 31/100





Costs - Adjudication of Cl.s No 152 & 154. - Wm Lunnes Rhodes Esq

To Incidental expences &c upon Cl. No 152	$	1	
action of Comm.rs on this Cl. 29 Sep.r 1848		1	
Draft depos.n of Cl. Wed.d 50 cts. & Citation 50 cts.		1	
Testimony reduced to seng.d on 29 Ins. f.l. 75 cts. and engrossed f.l. $2		2	75
T. Metcalfs survey engrossed f8		1	
T. Metcalfs charge for new Notes of Map		10	
Report of Commissioners this day Rendered on the above Claim		5	
	24.75		
To Incidental expences in Cl No 154		1	
action &c on 29 Sep. and Citation		1	50
Dr. depo. of Cl. Wed.d 50 cts. Tes.n on 29 Ins. reduced to seng.d f2		2	
T Metcalfs Surveys in 4 parts of this land $1.50		20	
Engrossing the same f8		1	
Report of Commissioners this day Rendered on the above Claim		5	
	33.50		
		58	25

William L. Lee
J K Smith
A. Keaweaiki
S. M. Kamakau
Secretary

Kate. Kaeiwila

15 February 1849

Claim N° 155. William Sumner Sen.r

This is a Claim to a lot situated in Honolulu Island of Oahu, and described by the Claimant as adjoining the Premises of Kekauluohi; measuring 264 ft. in length and 187 in Breadth; And given to him by H.M. Kamehameha III for his services to the Government; and which he has built upon and uninterruptedly occupied 26 Years.

The occupation of this lot by Mr. Sumner, from the Year 1819 until his decease in 1847 is sufficiently proved by testimony taken by the Commission, and though the Witnesses generally agree, that the land was originally taken up as waste, without grant, and afterwards sanctioned & Confirmed by the King and Chiefs, and thus constituting a kind of "verbal" grant" depending upon occupancy" for proof, as stated by Mr. Lee — the variation can amount to no difference affecting the title.

This claim was included in the joint examination of N° 156 - both of them resting on the same Grounds; while the latter portion of the land claimed under that number, has been long vacated; and claimed by Kekauonohi; and is now in her possession; remaining to receive the adjudication of this Board: there is no impediment in the way of the settlement of the portion included in the present claim; of which the Claimant has had undisputed and unalienated possession from the time of receiving or assuming it, to the Year of his death in 1847; from which time the heirs of the Claimant have held the quiet-possession of the lot, without any Counter Claim being advanced by the Government or others.

We therefore award to the said heirs of William Sumner deceased, a Freehold title less than allodial, in said lot; which may be Commuted for a Fee-simple title upon the terms and Conditions prescribed by law.

The bounds of this land are Contained in the following Survey of S. Metcalf Esq.:

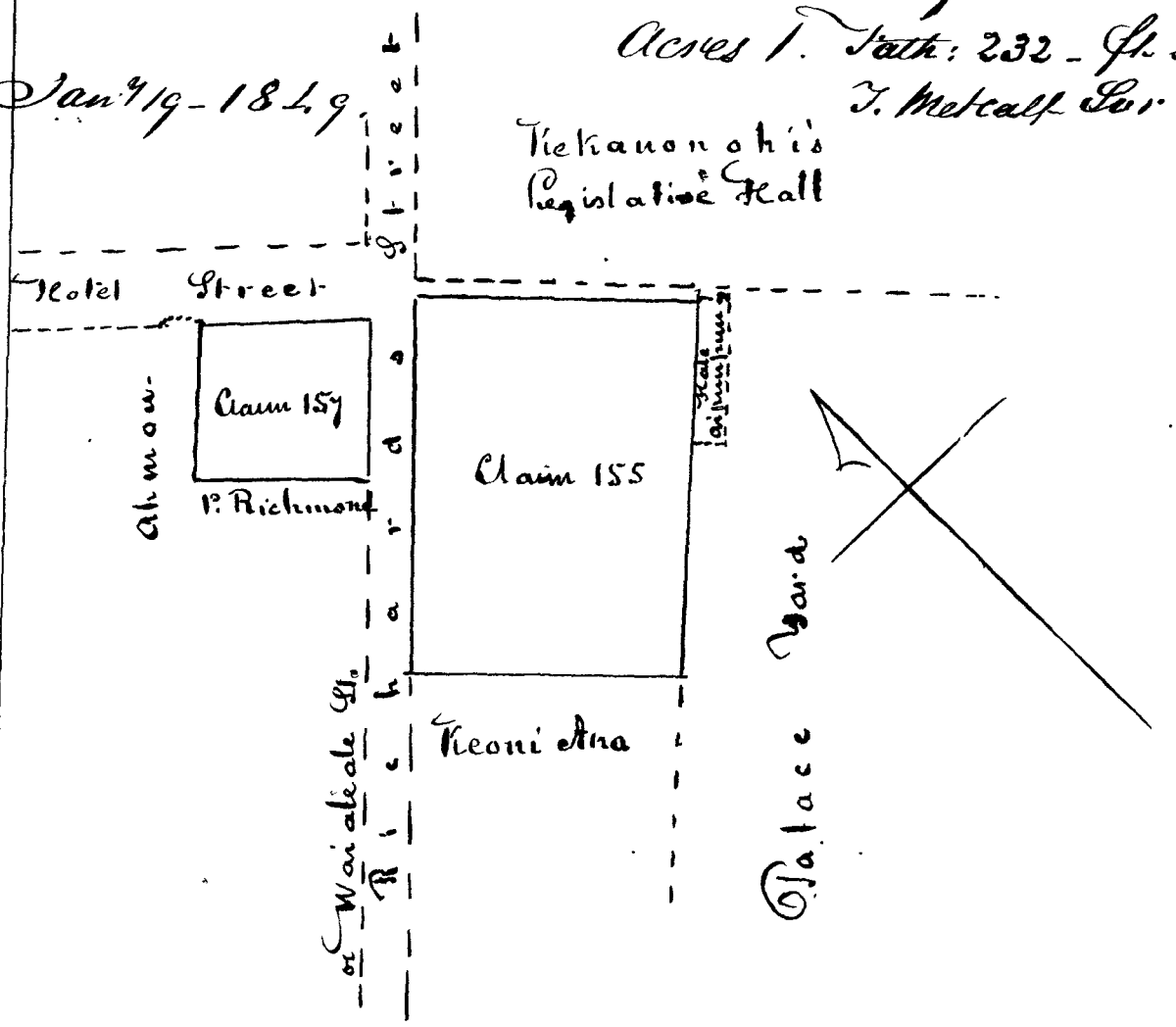
"Notes of Survey of dwelling house lot in Kalihinaihi Honolulu"

Commencing at Makai W. Corner of this lot- joining Keoni Anas Premises and running N. 45° 15' E. 4 Ch. 5 3/12 ft. along Waialeale St. to Chiefs Lane at N. Corner this lot- Thence S. 45° E. 2 Ch. 62 8/12 ft. (along Chiefs Lane to E. Corner of this lot- (which extends 3 1/12 ft. beyond even with NW side of Hale Aipuupuu standing in Palace Yard.) Thence S. 47° 15 W. 4 Ch. 4 5/12 ft. (Cutting hale-Aipuupuu) along Palace Yard to Keoni Anas (Premises) premises- S. Corner of this lot- Thence N. 46° W. 2 Ch. 52 8/12 ft. along Keoni Anas to Place of Commencement - including an area of-

Acres 1. Path: 232 - ft. 25

J. Metcalf Sur.

Jan'y 19 - 1849.



Costs- adjudication of Cs 155 & 157 Wm Sumner Sen.r Dr.

To Incidental Charges &	1	
Citation & action on 29 Sep. 1847.	1	50
draft Test.y Red.t & Eng.d 18 Nov. 1846. (Proportion of 2	1	50
draft def.s of Claim Red.d £1		50
J. Metcalfs Survey & 5 - engrossd - £3 - £1 - 50	6	50
Report of Commissioners this day Rendered	5	
Carried on	16	

Claim No 157. William Sumner Senr.

This is a claim for a lot situated in Honolulu Isld. of Oahu; at corner of Hotel and Richard Streets.

From the Evidence taken in this claim, it appears that the claimant came into possession of this land in the Year 1835; and that he has had undisputed possession of the same, up to the time of his death in 1847. From Mr Sumners death up to the present time, he heirs of Claimant have held the quiet possession of the Lot, without any claim to the same being presented by the Government or any person or persons; And we do therefore award to the said Heirs of William Sumner, a Freehold Estate less than allodial in said Lot; which Freehold they may Commute for a Fee-simple upon the terms and conditions prescribed by law.

The bounds and metes of this land are contained in the following Survey of J Metcalf Esq.

"Notes of Survey of lot opposite the dwelling house lot across Waialeale St.

"Commencing at Makai S. Corner of this lot joining Peter Richmonds Residence and running N. 45° 15 E. 1 3/4 Ch. along Waialeale St. to Hotel St. E. Corner of this lot. Thence N. 49° 30' W. 1 Ch. 59 5/12 ft. along Hotel St. to Athenows bake-house lot. Thence S. 41° 15 W. 19 10/12 ft along Athenows lot to Corner of house. slight angle. Thence S. 46° 45' W. 21 1/2 ft. to S. Corner of above said house. Thence S. 41° W. 67 ft to Peter Richmonds lot W. Corner of this. Thence S. 47° 15' E. 1 Ch 57 ft. along P. Richmonds place to place of Commencement Including an area of 7 fathoms 368 feet.

J Metcalf Surv.

Jany 19. 1849

See diagram in preceding Page

Bro't for'd $16 2 50

Incidental charges and action in Ce. 157 & Citation . . .

draft testimony 29 Sep. Rec'd Seng.d $1 75

" dep Claim Rec'd $1 50

J Metcalfs Survey Seng.d $2 $1 6

Hale Naauao 15 February 1849

William L Lee Report-
W. Smith Interpr.
D. Haalilio
C. Kanaina

5

30 75

Cl N°387. Part 1 of Honolulu Claims of Sandwich Islands Mission

Oahu Part 1 - Honolulu Lec. 1

This is a Claim made by the "Sandwich Isl^d Mission" on behalf of the American Board of Commissioners for Foreign Missions, to a house lot situated in Honolulu, Island of Oahu; and now occupied by Henry Dimond.

From the Evidence submitted to the Commission, upon this claim, it appears, that this lot was originally given to the Rev^d Wm Ellis of the London Missionary Society A D 1823, by Karaimoku: that Mr Ellis built upon and occupied the same for a few months, and then left the Islands: that some four or five years after his departure, the L.M. Society through Mr Ellis, relinquished all their Rights in this lot, in favor of the present Claimants; and that the "Sandwich Islands Mission" have been in the quiet possession of the same ever since the departure of Mr Ellis. It further appears, that the whole district of Kawaiahao, of which this lot is a part was given to the "Sandwich Islands Mission"; not in fee simple, but for the use of said Mission, so long as they pursued the object for which they came here, and for which the lands were given, namely, the Christianizing of the Hawaiian Nation.

The Commission therefore, view this title as a freehold contingent upon the Existence and pursuits of the "Sandwich Islands Mission": that is to say, so long as the aforesaid Mission Continues to exist, and labor to promote the Christian faith they profess, so long this land shall be theirs to possess in peace and quiet. But if they should cease to exist, or to pursue the objects of their profession, that then the land will revert to the King and Chiefs who gave it; or in other words, to the "Sandwich Islands Government. The Commission adopt the view expressed by Mr Levi Chamberlain, in giving his evidence in

relation to the nature of the Mission claims: namely, that it would be a breach of good faith for the Mission to lease, sell, or otherwise dispose, of this, or any other Mission lands, without first obtaining the consent of this Government; and that it would be equally a breach of good faith for this Government to dispose of this or any other Mission lands, without the consent of the Mission while they continue their appropriate work.

Holding these views, we do hereby award to the American board of Commissioners for foreign missions the before named lot, according to the metes and bounds set forth in the annexed survey, to have and to hold to them, and their Successors, during the Existence of the "Sandwich Islands Mission." The Commission view this award, as parallel to an awards of a freehold or life Estate in land to an Individual.

"Notes of the lot occupied by Mr. Dimond"
"Commencing at Corner of Church and Kawaiahao St. at South corner of this lot; and running N. 41° 45' E. 1 Ch. 38 3/12 ft. along Kawaiahao St. to lot Claimed by Chas. Kanaina at East Corner of this. Thence N. 53° W. 1 Ch. 56 7/12 ft. along Kanaina's to slight angle. Thence N. 50° 45 W. 25 8/12 ft. to Mauka N. Corner of this. Thence S. 41° W. 2 Ch. 8 3/12 ft. always along Chas. Kanainas land to Church St. at W. Corner of this. Thence S. 67° E 2 Ch. 22 3/12 ft. along Church St. to place of Commencement. Including an Area of Fathoms 504 Metcalf Surv. March 1. 1848.

"For diagram see General Map of Honolulu claims. Page 139 Costs. Part 1 of No 387. P. I. Mission Secl——D."

Survey by J. Metcalf
Commission general charge

$	5
	3
	8

Honolulu
Nate Hawaii
1 February 1849

William L. Lee
J. H. Smith
J. Kauwai
S. M. Kamakau
Commr.

Claim No 690. Louis Gravier.

This is a claim made by Louis Gravier, for, and on behalf of his daughter Elizabeth Gravier, for a house lot situated in Honolulu Island of Oahu

From the Evidence submitted to the Board it appears, that his Exc^{y} M. Kekuanaoa, & Kalole his Wife, in consideration of the sum of one hundred dollars paid the said Kekuanaoa by the said Louis Gravier, Conveyed this lot to Elizabeth Gravier and her Hawaiian heirs for ever. on 25th day of July A D. 1846. In other words, the said Kekuanaoa and Kalole, Conveyed to the said Elizabeth, a fee-simple title in said lot; which was more than they had any right or power to convey; as they thereby Conveyed away the Rights of the King or Government in the lot. But the Board having made application to the Privy Council for power to Confirm the Conveyance, they passed the following Resolution.

"Whereas Mataioo Kekuanaoa did by his deed on the 25th day of July A D. 1846. Convey to Elizabeth Gravier and her Hawaiian heirs for ever, a small house lot in Honolulu; & whereas a Claim has been presented to the Land Commission, by the said Elizabeth, for a fee-simple title for the same; and the Land Commission have no power to grant such a Title in Conformity with the deed aforesaid, unless the Government first Relinquish their rights in said House lot:— Therefore be it Resolved: That the Government, as a special favor to Governor Kekuanaoa, do hereby relinquish all Rights they may have in said land, and authorize the Land Commission to Confirm the Conveyance of M. Kekuanaoa, and award the said Elizabeth a Fee-simple Title for the same.

I hereby certify the above to be a correct Copy of a Resolution this day passed in the

Privy Council of State.

Witness my hand this 23rd day of January (1849) in the Council chamber in the Palace at Honolulu

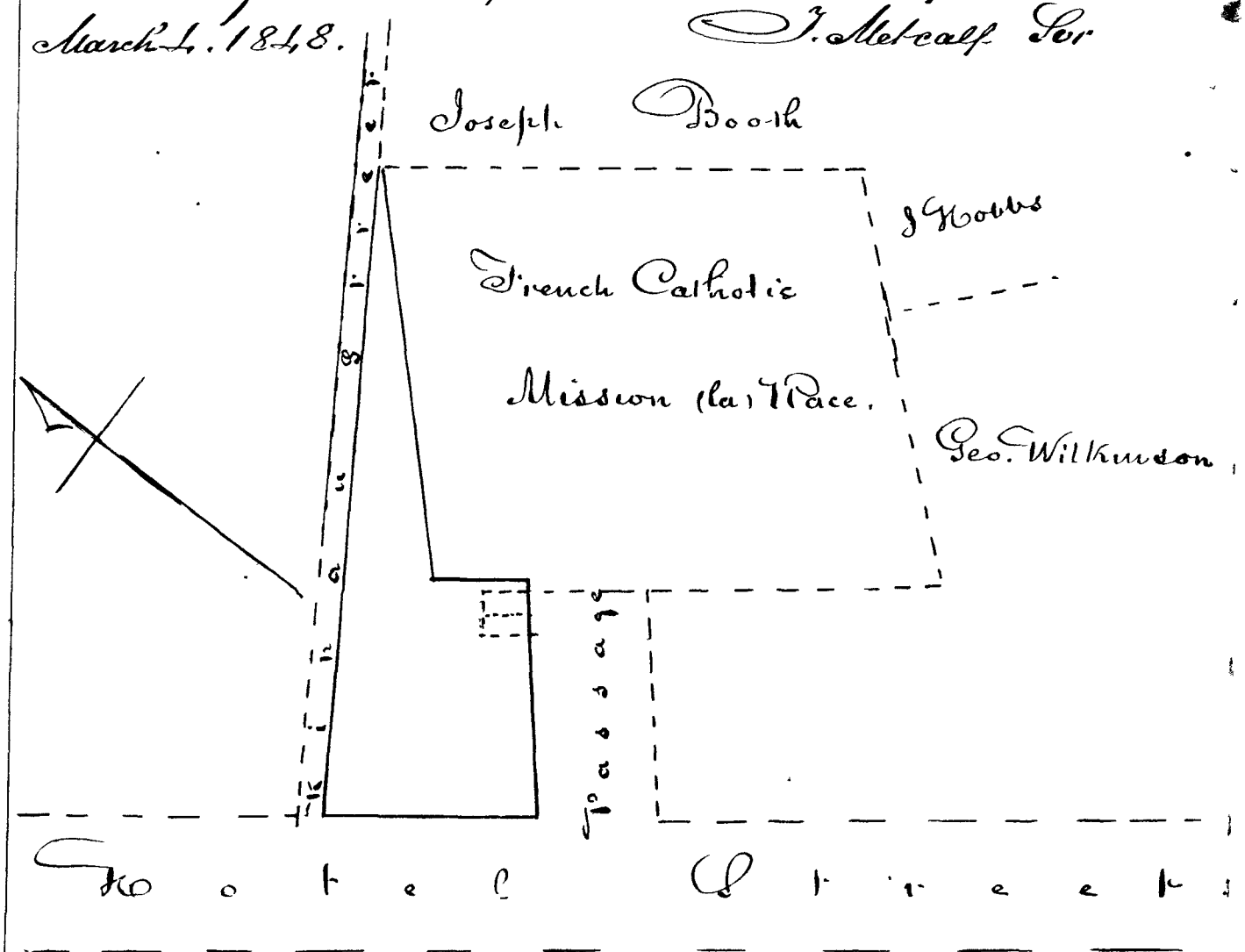
Charles Gordon Hopkins.

Secretary to the Privy Council.

"Notes of Survey of E. Graviers House lot in Kalani-kahua, Honolulu"

"Commencing at Makai S. Corner of this lot, on Mauka side of Hotel St. joining Passage leading into French Catholic Mission Place, and Running N. 41° 45 W. 58 3/12 ft. along Hotel to Nuuanu St. the Makai W. Corner of this lot. Thence N. 51° 30' E. 2 Ch. 40 7/12 ft. along Nuuanu St. to lot owned by Joseph Booth. the Mauka Corner of this lot. Thence S. 37° 45' W. 1 Ch. 44 3/12 ft. along and to W. Corner of the French Catholic Mission place at post. Thence S. 43° E. 23 9/12 ft. along Makai side of of French Mission place to Passage leading to Hotel St. Thence along Passage 63 1/12 ft. to place of Commencement Including an area of Fathoms 136. Feet 16

March 1. 1848. J. Metcalf Sur.



514

Costs. Adjudication of Cl. N° 690 Louis Gravier Esq.

To Incidental Expences of			1
Action of Commission on 7 Janr. 1848			1
Citation			50
draft deposition of Claim Reduced		$1	50
" Testimony Red.d in deed engr.d		$3	1 50
" Resolution of Privy Council 23d Janr 1849 Engrossed (See Awards)		$2	1
Survey by J. Metcalf of this lot			5
Engrossing Copy of same		$2	1
Report of Commissioners this day Rendered on the above Claim			50
			16 50

W. L. Lee.

Hale Kauwila
2 February 1849

H. Smith
S. M. Kekauokalani
D. Kauwaiai
Joanali

Claim N° 786. James Robinson & Robert Lawrance

This is a claim for a lot situated in Honolulu, known as the "Blonde Premises."

From the Evidence submitted to the Board it appears, that these Premises were in the Possession of a man by the name of Fleming in the Year 1826; and were occupied by the said Fleming as a Groggery. That soon afterwards, Fleming sold them to Samuel Dowsett, who occupied them in the same way; keeping a house thereon. Called the "Ship and Whale;" until 1831; when he sold them to the present Claimants, who have had undisturbed possession of the same ever since. The Claimants title to this lot is clear; and we do hereby award to James Robinson and Robert Lawrance, a Freehold Title less

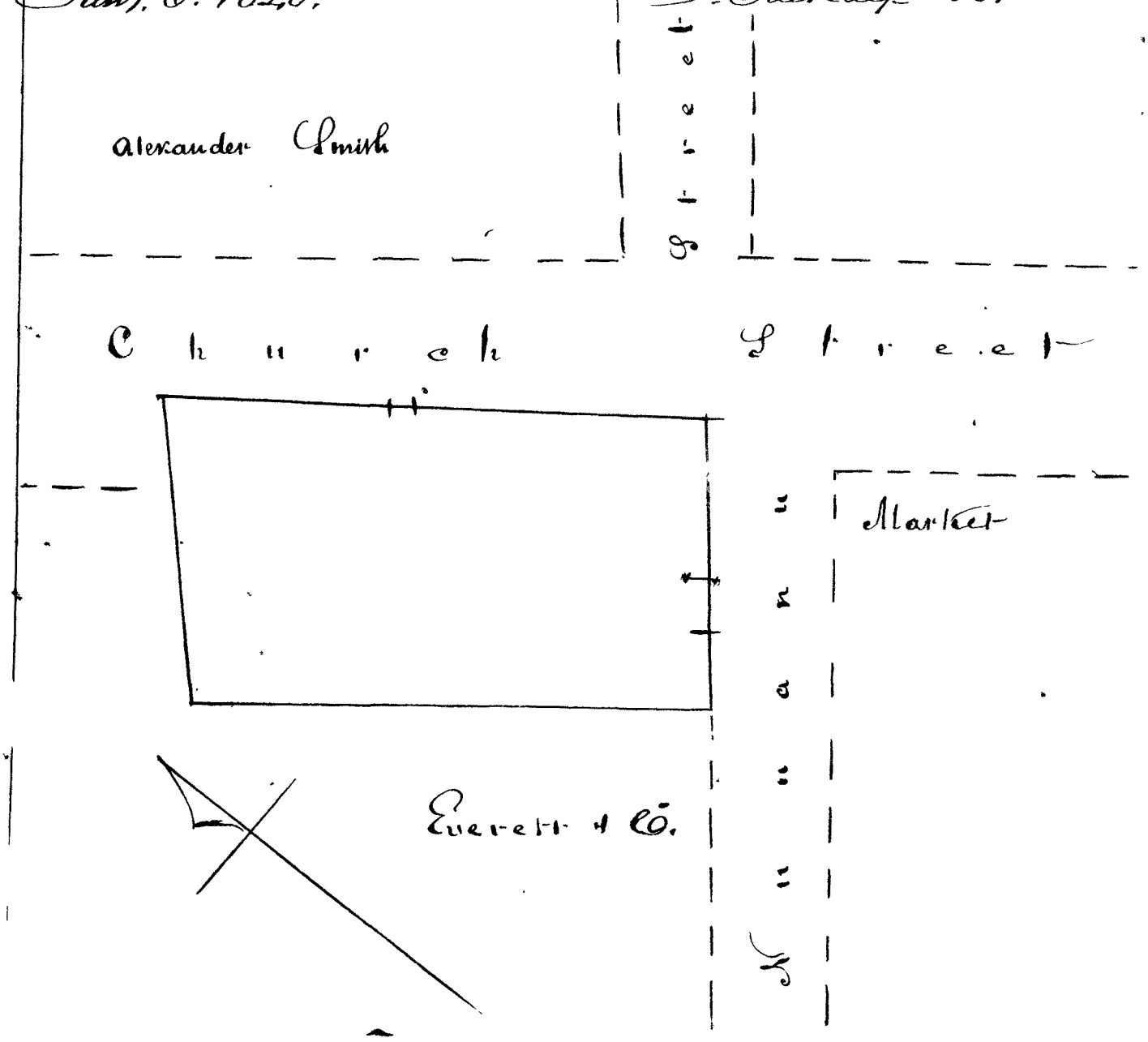
than allodial; or in other words, a life Estate in said lot; which they may Commute for a fee-simple title as prescribed by law. The correct Metes and bounds of this lot, are set forth in the annexed Survey made by J. Metcalf on 6th Janr. 1848.

"Notes of Survey of the "Blonde Place" in Kokoiewa Honolulu." "Commencing at Makai S. Corner of this lot, on Nuuanu St.; joining Premises occupied by Everett & Co.; and Running N. 53° E. 62 ft. along Nuuanu St. to Mauka E. Corner of this lot at intersection with Church St.— Thence N. 31° 30' W. 62 8/12 ft. along Church St. to Gate angle— Thence N. 33° 15' W 55 3/12 ft. along Church St. to Mauka N. Corner of this lot— Thence S. 48° 30' W. 1 Ch. 8 Inch. along North west wall of this lot, to Makai W. Corner— Thence S. 35° E 1 Ch 46 2/12 ft. along Premises occupied by Everett & Co. to place of Commencement— Including an area of.

Fathoms 205. feet 25

A 1/1100

Janr. 6. 1848. J. Metcalf. Surr.



Costs. Adjudication of C. N° 786. James Robinson &c. Ds.

To Incidental Expences of Commission		1	
Action of Comm" in this Claim on 7 Dec 1848		1	
Citation			50
Draft-depos" of Cl. Rec[d]	$1		50
" Testimony Rec[d] & eng[d] on 7 Jan.	$2	1	50
Survey by J. Metcalf		5	
Eng. & ossing the same	$2	1	
Report this day Rendered on the above Claim by Commissioners		5	
		15	50
W. L. Lee — Survey Paid by Claim[t]		5	
J. H. Smith			
S. M. Kamakau Sec.	$5	10	50

Hale Kauikeaouli

2. February 1849

Z. Kaauwai

Secretary

C. N° 787. James Robinson - Robert Lawrance

This is a claim for a House Lot, situated in Honolulu, Oahu; and lately occupied by Samuel Thompson.

From the Evidence submitted to the Board it appears, that these Premises were originally in the possession of one Captain Cole: that they afterwards passed into the hands of Henry A Pierce; and from Pierce to Alexander Smith who sold them to James Robinson, Robert Lawrance and Joseph Elliott in the Year 1833 that Elliott died in 1836, and willed his Rights in these Premises to the surviving part-owners James Robinson and Robert Lawrance: and that they have had the quiet Possession of the same Ever Since.

The Claimants Title is rendered Clear by the evidence, and We do hereby award to James Robinson & Robert Lawrance a Freehold Title less than allodial in the afore said lot; according to the metes & bounds of the annexed Survey; which Freehold Title less than allodial may be Commuted for a Fee-simple as prescribed by law.

"Notes of Survey of Makai side of Hotel St. opposite Canton Hotel - Samuel Thompson place"

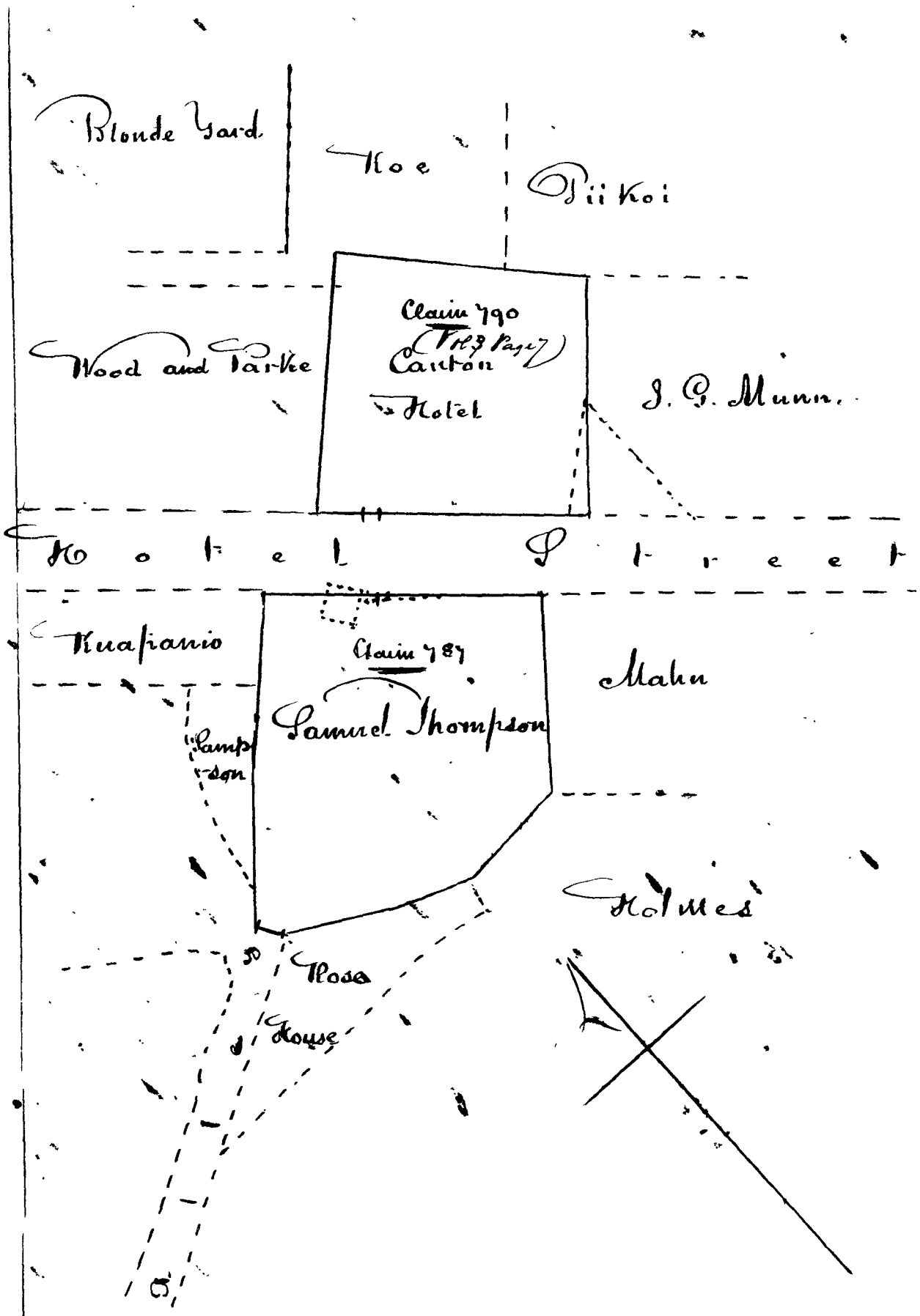
"Commencing at Mauka N. Corner of this lot on Hotel St. joining lot claimed by Kuapanio. and Running S. 4 g° W. 1 Ch. 6 7/12 ft along Kuapanio's and Sampsons dwelling Place lot to N. Corner of Stone house on this lot. Thence S. 4 5° W. 1 Ch. 23 ft. along Sampsons lot and to Makai W. Corner of of this lot. Thence S. 36° 45' E. 11 10/12 ft. along Gate way into this lot to the Rose house lot. Thence S. 56° 15' E. 53 11/12 ft. along Rose house lot to slight angle in wall. Thence S. 65° E. 35 ft. to Mauka E. Corner of Rose house lot angle. Thence E. 26 1/12 ft. along the Holmes premises to Corner of Bowling alley on this lot. Thence N. 8 3/4° 15' E. 28 1/12 ft. to Makai S. Corner of Bowling Alley. Thence N. 43° 15' E. 1 Ch. 31 8/12 ft. along Mahus lot to Mauka E. Corner of Bowling alley and this lot. Thence N. 43° W. 1 Ch. 62 8/12 ft. along Hotel St. to Place of Commencement. Included an area of Fathoms 534 feet 2

Jan 26. 1848. J. Metcalf Sur.

See diagram next Page

Costs - Adjudication of C. No 787. James Robinson &c		$	cts
To Incidental Expences &c	$1	1	
Citation 5th - Action in this Ct. on 5 Jan 1848		1	50
Draft depos" of C. Read	$1		50
" Testimony engrossed &c 5 Jan?	$3	2	25
Engrossing Copy of Survey by J Metcalf and furnished by Claimants	$1	2	
Report of Commissioners this day rendered on the above Claim		5	
	$	12	25

518



Hale Kauhiola
3 February 1849

William L. Lee
J. Smith
D. Kuaiwai
L. M. Kaaukau
Scribe

Claim N°. 788. James Robinson, Robert Holt and Robert Lawrance.

This is a claim to a House lot, situated in Honolulu Oahu, and lately occupied by Isaac & Wright.

From the Evidence taken in this claim, it appears, that these Premises were originally given by Governor Boki to John Nellett in the Year 1826 or 1827, and that the said Nellett sold the same to the Claimants in the Year 1841; since which time, they have occupied the same in quiet.

The above Evidence renders the Claimants title Clear, and We do hereby award to James Robinson Robert Holt, and Robert Lawrance, a Freehold Title less than allodial in said lot, according to the Metes and bounds of the annexed Survey, which they may Commute into a Fee-simple title as prescribed by law.

" Notes of Survey of the Isaac N. Wright paint-shop-place in Honolulu "

" Commencing at Mauka E. Corner of this lot on Nuuanu Street, joining lot claimed by A. Paki, and running S. 49°. 15'. W. 2 Ch. 17 10/12 Ft. along Nuuanu St. to Makai S. Corner of this lot. Thence N. 51°. W. 31 3/12 Ft. along J. Colemans Premises to angle of wall. Thence N. 20°. W 48 2/12 ft. along J. Colmans & Nuuas lots to W. Corner of this. Thence N. 49°. 15'. E. 2 Ch. 1 1/12 ft. along Poka's lot, to Mauka N. Corner of this. Thence S. 43°. 15'. E. 1 Ch. 11 1/2 ft. along A. Pakis place to place of Commencement.

Including an area of

Fathoms 321. Feet 4.

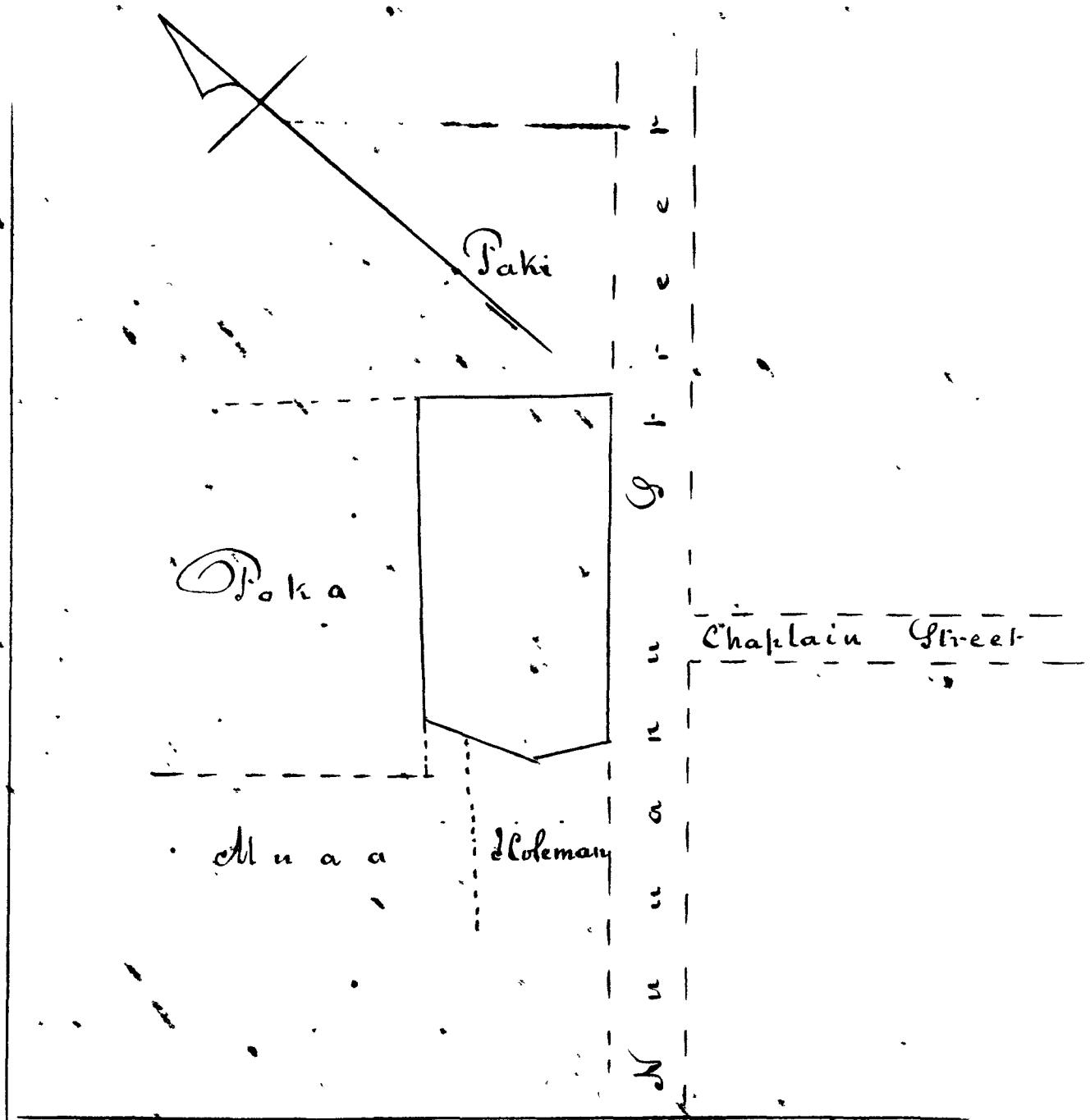
J. Metcalf

Surv.

January 6. 1848.

(see diagram next Page).

520



Costs. Adjudication of C. 788 James Robenson &c. $ cts

To Incidental Expences &c of Commission		1	
Action of Commission in this Claim 5 Jan.y 1848		1	
Citation 50 cts draft deposition of C. Red.d & $1-50		1	
Draft Testimony Red.d and Eng.d 5 Jan.y	$3	2	25
Engross.d Copy of J. Metcalfs Survey furnished			
By Claimants	$3	1	50
Report of Commissioners this day read-			
-ed on the above Claim		5	
		11	75

Honolulu
3 February 1849

William L. Lee
J. H. Smith
J. Kekauwai
G. W. Lumaka
Komeli

Claim 963 John Richards

This is a Claim for a House lot called "Puhako," in Lahaina Island of Maui;

The Claimant states, that in the Year 1839 or 1840 he obtained this lot from Kalaikoa, and paid for it in money and work: that he put up a house upon it, and lived in it nearly two Years: that in his absence it had been pulled down, and himself dispossessed of the place, by order of Kekauonohi, through Kaio the Son of Kalaikoa, deceased.

The above stated particulars, appear sufficiently proved in the Examination of this Claim before Mr Richards, the former President of this Board, when evidence was taken by him in the Month of January 1847 at Lahaina upon it- having added to the minutes of the Proceedings his own sworn deposition; stating that the Claimant came to him after Kalaikoas death expressing his apprehensions that Kaeo, his Son, would tear down his house, which Mr Richards disbelieved, adding, "that property is now under the protection of the Law." The house however, was destroyed, and the Claimant has ever since been unjustly deprived of his rights.

It is a small lot- described by the Witness Pillister- to be about 60 ft by 30 ft.- who with two other Witnesses Grant and Lawrence- Confirm his right in it.

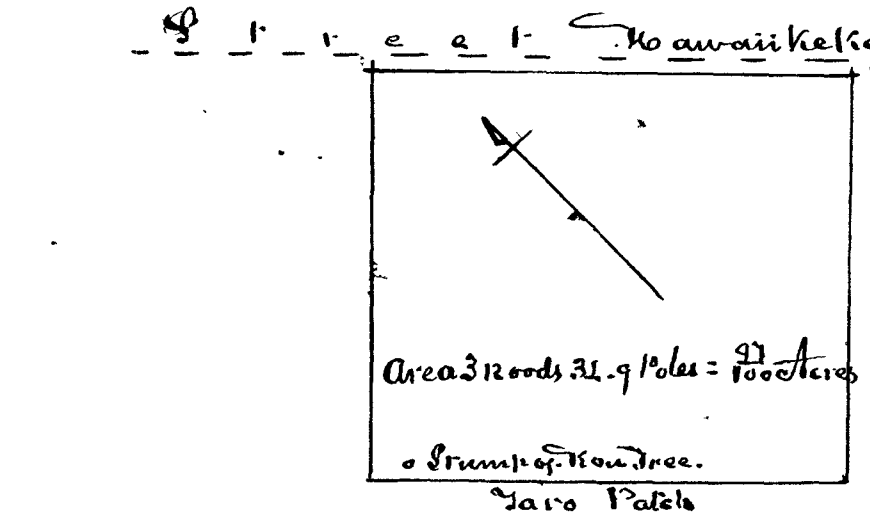
The occurrence which deprived the Claimant of its possession appears to have been the after action of an old principle of arbitrary Rule- not then sufficiently brought under the Controling power of the new laws of 1839- but which properly Constitutes one of those Cases of irregularity and wrong legitimately belonging to the Corrective adjudication of the Board of Land Commission. From the testimony received, We consider the Claimant title good to this lot of which he has been deprived; and accordingly Award to John Richards a Freehold estate in it- less

than allodial - which he may Commute in accor-
-dance with the law.

The Bounds of this lot are described as ~~Stated~~ below in a Survey made by Geo.d W.P. Alex-
-ander on 29th January 1849.

"Beginning at the East Corner on the ~~Street~~ called Kaawaii kekee, where the lot joins one owned by Kaeo, and running towards the Sea, S. 44° W, 89 Chains to a Taro patch thence N. 46 W 1,10 Chains to a point three feet beyond the Stump of a Nou tree. thence N. 44 E. ,89 ch. to the Street Kaawaii kekee. thence along said street S 46° E 1,10 Ch to the beginning.

Contents of the lot $\frac{97}{100}$ acre.



Costs. Adjudication of Cl. 963 - John Richards Esq.

To Incid.l Expences &			1
Action of Commission in Jan.y 1847 and 27 hour 1848			1
~~Citation~~ 50.cts draft-Jes.y Read.d Seng.a		$6	4 50
Survey of the above Lot by W. P. Alexander			2 50
Deposition of Cl. reduced		$.2	1
Report of Commission as this day rendered on the above Claim			2 50
			12 50

William L. Lee
I. L. Smith
Js. Kauwai
S. M. Kamakau
Secretary

Hale Kauwila
9 February 1849

Claim N° 193 Lewis Rees.

This is a claim for a large tract of Land, comprising upwards of 3000 Acres; known by the name of Koaeae, and situated in the district of Ewa, Island of Oahu.

The Claimant Rees, in his Statement to the Commission, alledges, that this whole tract of land was given to him by Mauia in the Year 1829; and that he has ever since held quiet possession of the same; with the exception of certain Claims and demands made by Namauu; and requests that the Commission will examine his Title, and settle the same according to the laws.

Namauu appears as a Counter Claimant to this land: alledging that Mauia never gave the land to Rees, but on the Contrary gave the land to him in the Year 1829. when he, Mauia, left the Islands with Boki: — That Rees, however, was to have the use of the land, as a pasture; upon Condition, that he paid to Namauu and Mauia's wife, Kaupena, one half of the increase of the flock of Goats, Horses &c put on the land by Mauia; and one half the profits of the land, and that the only difficulty existing between Rees and himself, is one growing out of the refusal of Rees to account to him for half the profits of the pasturage, according to the Conditions upon which he was to have the use of the Land. He Contends, that the only land given to Rees, was a small rich land adjoining, or forming a part of Koaeae, called Waiena: That the uplands of Koaeae formed no part of the Gift from Mauia to Rees: and that Rees was only entitled to the use of it; so long as he performed the Conditions upon which the use was granted.

This Claim being a Contested one, the Board, before proceeding to a decision, will examine the evidence adduced by the Parties, in detail.

The first Witness called on the part of the Claimant Rees, is Mr. John G. Munn, who testifies, that he has known Mr. Rees at the Islands about 20 Years: that he recollects Mannia came into a house where he was in the Year 1829, and said to Rees, "Rees. I shall give You that Land instead of another." but he does not know what Lands Mannia referred to:— That Rees has lived on the land a number of Years:— That Rees was living there in 1837; and that he never heard of any other persons claiming the Land.

James Walker. The next Witness sworn for Rees, states, that Mannia gave Rees the land where he lives about 1828 or 1829.— Rees was Mannias servant:— That he did not know of any one living on the land at the time: Rees has lived on it from that time till the present:— That he knows of no one interfering with him about the land except Namamu:— That Rees gave Mannia half the Stock raised on the land, from the beginning to the present time. The same Witness testified on the 17th of May 1848, that when Mannia was leaving the Islands in 1829, he told Witness he had given Rees a large place at Pearl River, but did not state the extent. Mannia said he had given him the land to raise Stock upon:— That he, Witness, never saw the land:— That the Cattle on the land belonged to Mannia, and Rees was to give Mannia half the Increase of the herd.

Kanchi. The next Witness sworn for Rees, states, Mr. Rees and I were together, and did business for Mannia with the Foreigners:— Mannia first gave him a land named Pawa in Waikiki; but that land being so much exposed to inroad of Animals, Mannia gave him another at Ewa instead of it. Rees has from that time (1829) lived undisturbed in the place then given. When Rees received the land, it was dry, and without value, but by labor, he prepared a taro patch,

and made it valuable. I do not know the precise boundaries of the land: its name is Hoaeae. The taro ground has been since Covered by a Freshet. The particular reason why Rees wished to go there, was, that he might have better pasture; and he has pastured Goats, Horses and Cattle there. The pasturing of animals being his business. Mauwa did not give him the whole of Hoaeae: he gave him a one of the taro ground. The next Witness sworn for Rees, was Kaupena. Mauwas Widow. She testifies, she knows that Mauwa let Rees have some pasture ground to feed Goats, upon the Condition that Rees gave him one half of the produce: - that when Mauwa left in 1829, he gave the land to Namanu.

The next Witness Called for Rees was Kekeni, who testified, that he was a Relative of Mauwas, and a servant under him. Rees was also a servant of Mauwas, being his herdsman. Rees and myself attended upon Mauwas Call. Rees did some other work, besides attending to Mauwas Cattle. Before Mauwa sailed for Manilla (in 1827 or 1828) he gave Rees a small piece of dry, uncultivated upland in Pawaa Waitiki; fit only for the raising of Potatoes. Rees did not like the land; and after a while, wished to give it up because it was so small. Mauwa took it back, and gave him a larger land in Ewa. Ualena, is the name of the land Mauwa gave Rees at Ewa, and not Hoaeae. It was a piece of low-land, surrounded with a fence, but the fence is now broken down. I could point out where the fence was. It was a place for growing Kalo. Outside of this, was the pasture land of Hoaeae. and Rees was permitted to pasture his Cattle upon it. I went down to Ewa with Rees and Mauwa when the land was given, and witnessed the Gift - he gave Rees the land inside of the fence - that is - Ualena - but not the land outside of the fence - that is - Hoaeae. The outside land Rees was to have the use of for the Cattle to run on.

Cross examined by Namaau.

The cattle pastured were Manuias - Rees took care of the cattle, and was to have half the Increase of the Cattle for his Care of the herd - Rees was to have the low land Utalena as his truly; and the use of the plains of Hoaeae, as a pasturage, so long as he Yielded half the produce to the Lord of the Land; Namaau has been the Lord of the Land so far as my knowledge extends ever since 1830.

John Meek Sen! Sworn for Rees. says - Rees lived in the Fort with Manuia, and was one of Manuias Confidential servants. Rees has been on this land from 15 to 20 Years, to my knowledge. I dont know how Rees got the land, but I have heard that Manuia gave it to him; but I never hears Manuia say any thing about it - I never heard Rees' right disputed until lately - I have pastured my horses upon this land for some Years - I cannot give the bounds of the land, but it is not very large - (Rees here presented a Map of the land claimed by him - Comprising some 3,000 acres) I never Knew any person as being entitled to the pasturage money for my horses but Rees. I know nothing about the bounds of the land, and cannot say whether the Survey presented by Mr Rees, is correct or not. Rees has had possession of the Land, I think since 1829.

Samuel Thompson - sworn for Rees - says - I know but little of the land in dispute - Rees was living on the land when I came here 18 Years ago. Rees always spoke of this land as his own - When I came here, the place where Rees lived, was enclosed with a fence - but the freshet swept over this place soon after, and rendered it of no value. I never heard Rees' right to this land disputed until lately. I remember three or four Years ago that Rees and Kauaena (Manuias Wife) divided the Goats on this land - Whether this was a Jenal

division or no, I Cannot say. I never heard Manuia say any thing in reference to this land. I Cannot give the boundaries of the land; they are not known to me. I have rode over the land, but I dont know the bounds, it is not fenced.

Cross examined by Namauu.

I never understood that this land was given to Rees except from the old man Rees himself. I heard this from him lately, and in former Years.

J. C. B. Rooke Sworn for Rees. says. When I Came here in March 1829 the day the King arrived here from Maui - Kaupena, the Wife of Manuia, had charge of the Fort. Manuia was then absent at Manilla. I, with others, visited the King in the Fort; and then saw Rees. He appeared to be a Servant about the Fort: but I Cannot say what his duties were. I saw Manuia afterwards when he returned from Manilla. Shortly after in 1830, I visited Rees down at Eloa, where he was then living he was then pasturing Goats there, perhaps some Horses also. From that time up to the present, I have almost always had horses feeding on this land. I always paid Rees for the pasturage of these horses I heard that part of the Goats on this land belonged to Kaupena. I understood he pastured the Goats on condition of having half the Increase. I heard this from Rees, and also that the land was given him by Manuia. I never heard until lately, that Namauu had any Right in this land. I know nothing about the bounds of the land. I have rode over it. The lower part is of little or no value - The upland is only valuable, and the lowland being swept by a freshet, is only valuable, on account of its water

Cross examined by Namauu.

I never knew any thing about Manuias Gift of this land except what I have gathered from hearsay. I never heard Manuia say any thing about it.

Kahanee Sworn for Rees, says. I knew Rees

lived with Manuia in the capacity of a Servant.
He lived in the Fort with him a short time. I heard
that Manuia gave Rees a piece of land at Ewa.
I dont know of Manuia's giving Rees any upland
at Ewa. I know he gave him a piece of low land
in a circular shape: I once heard Manuia
say to Mr. Rees. there is a place for Your Goats,
and Namanu is to be Your Lord.
Cross-Examined by Namanu.
The Goats belonged to Manuia, and not to Rees.
it was the business of Rees to take care of these
goats, and for his care Rees was to have a
portion of the increase of the flock. I never
heard of Manuias giving Rees the upland of
Kaeae. I understood the absolute Gift of
Manuia to be Confined to the lowlands. Rees has
kept horses on this land on his own account,
and not for Manuia, I believe.
William French sworn for Rees, says. I know
very little in reference to these lands, except what
I have heard from Rees himself. I know Rees
has lived on the land. Rees stated to me that
he received the land and Goats from Manuia -
and was to have half the Increase of the Goats.
I never understood from Rees; that Manuia
had any Interest in the Horse-pasturage money,
but he had in the Goats. The extent or bounds of
of the land, I know nothing about. I understood
from Rees, that he had a piece of Low land
and some Pasturage. The old Custom of the
Native Chiefs was to give their foreign servants
land to hold during life, or while they lived
on the Islands. Sometimes more and some-
times less. I never heard Manuia himself say
a word in reference to this land.
Joane Di. sworn for Namanu says -
In 1821 or 1822 I first became acquainted with
Mr. Rees on board a ship, Commanded I believe

by Captain Lewis. It was not pleasant for him to live on the ship, and he came on shore; he was a kind of Steward or Waiter, under Manuia in Feasts, where foreigners were present. Sometime before Manuia sailed for Manilla I know Manuia gave him a piece of land at Pawaa. After this a piece of land was given to Rees as I heard, at Eva. I always understood the Gift to have been as stated by the Witness Kekeni. When Manuia went away in 1829 on the Sandal-wood expedition - in which he was lost -, he had Goats feeding on the Kula Land (Uplands) above Rees land. And he gave this land to his Wife Kaupena & Namanu. This Kula land (uplands) is Called Koaeae, and is bounded on the Waeanae side by Konoulinli - on the Honolulu side by Waikele; and Manoa it extends to where the two valleys meet. In 1841 I was at this place - and the fence surrounding the land - given to Rees, was fallen down. I then saw that the cattle of Rees were running far inland on the Kula land (uplands). I always understood that the lowland belonged to Rees, and the upland to Namanu and Kaupena. In 1841 or 1842 there was a difficulty between Rees and Namanu on account of the alledged appropriation by Rees of all the profits of this land to himself. Namanu Complained, and objected to Rees pasturing any Cattle on this upland but his own. Namanu Complained that Rees did not pay over his share of the Increase and profits. Rees and Namanu mutually Complained to me Concerning their difficulty; and I told Rees; I thought he ought to pay over half the profits of this land; and then, all would be quiet & right. Mr Rees, I believe did not do so.

At this stage of the Testimony, both parties requested, that the claim might be postponed, as they thought, they Could settle the same amicably.

Namanu said, he had no objection to Mr Rees having the Land, if he only kept the Condition on.

which the use was given - namely - an equal division of the Reptsa produce of the land. Mr Jasper Counsel for Mr Rees, said, this struck him as just, and he had no doubt the parties would arrange the matter amicably, if they had time.

The Board stated, that such a settlement would meet with great favor from them: that it would be a saving of Costs and much hard feeling, and they should be very happy to grant the request. The further hearing of the claim was accordingly postponed.

Some days afterwards, the Parties stated they could not settle the matter, though they were agreed on the terms, because Consul-General Miller would not let Mr Rees settle. accordingly the testimony was resumed.

His Excellency M. Kekuanaoa Governor of Oahu. sworn for Namauu. says. In the Year 1822 King Liholiho gave the land of Hoaeae to Manuia, from the Mountains to the Sea. Manuia kept possession of it until he sailed to a foreign land. When he was about to leave the Islands, he gave this land to Namauu and Kaupena. I heard him give it to them. On his return from England - he made no change in the land. nor on his return from Manilla - it still remained in the hands of Namauu & Kaupena; and Continued in their possession when he went with Boki to the Sandal-wood Islands.

Boki when he went on this Expedition, was Governor of Oahu; and left the Island in Charge of his Wife Liliha. She took this land from Namauu & Kaupena, and gave it to Kapole. Namauu's Wife. Kapole acquainted Namauu with this fact; and he went with a Complaint to the present King Kamehameha III I was present when Namauu came with his

Complaint; and I verified the Statement made.
The King said, "Let the land be given back to the Persons who owned it." From that time the joint ownership of Kaupena and Namauu ceased; and it was given back to Namauu only, with the understanding, that he held it under the King.
Afterwards, when I was in Conversation with the King about this land, the King said - "I have given it to Namauu, and he holds it under me." In the division of lands; this has been recognized as Namauu's; and there is no other Konohiki (Lord of the Land) but Namauu.
Cross examined by Mr. Jasper. Rees Counsd.
I know of the fact of Mr. Rees' living on this land. First under Namauu and Kaupena, and when Kaupenas title ceased. Then under Namauu. At first Claimant Rees had some land given him by Manuia at this Place. I only know this by hearsay. After being there awhile, a flood filled up the Taro patches; and the land was rendered almost useless. Mr Rees came to me, and represented this, and wished me to remit the tax on this land; which was about $3 or $4 dollars, and I reduced it to two dollars: - This was the Government tax. It remained at two dollars P! Annm until 1841. I believe: Since which time Rees has paid no tax, on account of the injury done by the flood. I saw the land: and told the tax gatherer not to Enforce the tax. This tax was for the Ili- or Cultivated land only - Namauu has always paid $1/7 per Year. The Ahupua tax - that is - the tax for Koaeae, which is upland and uncultivated.
The Evidence adduced in this Case is clear and conclusive. It is shown by Mr. Rees', own Witnesses, that while the lowland of Ulalena which forms a part of Koaeae, upon which Mr. Rees has lived, and which was enclosed with a fence,

was given to him to be truly his: only the use of the Uplands of Hoaeae was given to him, upon the Condition of his paying to the Lord of the Land, the one half of the produce.

Kekeni, Mr Rees' own Witness, who was present, and heard the Gift from Manuia, upon which Mr Rees bases his claim, testifies that he went down to Eua with Rees and Manuia when the Land was given, and witnessed the Gift. He gave Rees the land inside of the fence; that is Ulalena, but not the Land outside of the fence, that is Hoaeae;- the outside land, Rees was to have the use of for the Cattle to run on.

"Rees was to have the lowland, Ulalena as his truly; and the use of the Plains of Hoaeae as a pasturage, so long as he Yielded half the produce to the Lord of the Land"

Kaupena, the Widow of Manuia, another witness of Mr Rees, testifies, that she knows her husband gave Rees some Land to feed Goats upon; but the gift was upon the Condition stated by Kekeni. Namely. that he paid half the produce and that when Manuia left the Islands in 1829 he gave the land to Namauu.

Kahanee sworn for Rees, testifies to nearly the same facts as Kekeni. stating. that he knows of no upland having been given to Rees; but that a lowland was given to Rees in a circular shape. and that he once heard Manuia say to Rees, "There is a place for your Goats, and Namauu is to be your Lord". He understood the absolute Gift of Manuia to be confined to the lowland.

The Evidence of these witnesses is sustained by that of Mr Ii and Governor Kekuanaoa. The latter of whom gives the history of this Land, from the Year 1822; and testifies that he heard Manuia give Hoaeae to Kaupena & Namauu, and that it Continued in their possession until

shortly after the departure of Governor Boki & Manua in 1829 when Governor Boki's Wife, Liliha, wrested it from their hands:- That by order of his Majesty it was restored to them; and soon after passed into the hands of Namauu:- That Mr. Rees lived under Namauu and Kaupena so long as they jointly owned the land; and afterwards under Namauu alone:- That while Mr. Rees, as tenant of the lowland or Cultivated ground, has paid the annual tax of the same, up to the time when it was remitted on account of its being swept by a flood, Namauu has been the recognized Lord of the upland of Koaeae, and paid the annual tax of the same, from the Year 1829.

The only Evidence which militates in the least, if any, against the views of ~~the views of~~ the above-mentioned Witnesses, is that of James Walker and Kanui.

The first of these two Witnesses, Walker, testifies, that he knows that Manua gave Rees the land where he lives: Now Mr. Rees has always lived at Waiena the lowland; and whether the witness means, that he gave Rees the lowland, or both lowland and upland, cannot be told: for this witness says, he never saw the land. However taking the most favorable view of his testimony for Mr. Rees, it will be seen that he supports the testimony of Kekeni and others.

He testifies that Rees was to give Manua half the Cattle raised on the land; and that he has done so from the beginning to the present time.

Kanui, the other witness, in speaking of the land given to Rees, says, that when Rees received the land it was dry and without value; but by labor, Rees prepared a Kalo patch, and made it valuable: showing clearly, that he had reference to the lowland where Rees lived; and which is the only land Cultivated by Rees, or prepared with a Kalo patch. This Witness says, that Manua did not give Rees the whole of Koaeae; though he states the name of the land given to him was Koaeae. Beyond question the land

queen to Rees absolutely, was that part of the lowlands of Kaeaea-which was enclosed with a fence, and called Ulakeua. And when we scan the testimony of thes Witness, and Consider that the Counter Claimant was not present; and had no opportunity of Cross examining him, we shall find, that so far as it runs counter to the testimony of Kekeni, Kaupena, Kahanea, Governer Kekuanaoa and others, it is entitled to but little weight.

Mr. Meek, Mr. Thompson, Mr. Rooke and Mr. French, who testify that Mr. Rees has lived on the land since 1829, all ~~Jointly~~ state that they know nothing of the Manner, or Conditions upon which, Mr. Rees obtained this land:- that they never heard Manuia say a word in relation to the subject:- and that their Evidence on this point is entirely hearsay Evidence, for the most part based upon Mr. Rees' own assertions. They know he has possessed the land, and received pasturage money for horses, but upon what terms he has possessed the land, they do not know.- Certainly it has not been a quiet possession, according to Mr. Rees own statement.

Mr. Meek testifies that the land was not very large, but he knows nothing of the bounds. Mr. Thompson knows of Rees dividing the Goats raised on the land, with Manuias' Widow. Mr. Rooke and Mr. French testify that Rees told each of them that Manuia gave him the land, and Goats, and he was to have half the Increase.

This evidence so far as the Witnesses speak from Knowledge, and not from hearsay, strongly Corroborates the positive and lucid testimony of Gov. Kekuanaoa, Kekeni and others; and in the opinion of the Board, the Case is too plain to be misapprehended.

We do therefore Award to Lewis Rees this land, upon the same terms and conditions, upon which he received it from Manuia:- That is to

See translation into Hawaiian Page 630

that part of
say- We do award to him the lowland upon which he
has lived, and was formerly enclosed with a fence
namely, Alalena, to have and to hold to
him and his heirs for ever. There can be no doubt
but that the absolute Gift of this Lowland was
confined to a life Estate in Rees, But having
first obtained the consent and Authority of the King
in Privy Council, We do award the same to him in
Fee-simple.

And We do hereby further award to the aforesaid
Lewis Rees, his heirs, and assigns, the Use of the
Plains or Upland of Hoaeae, to have and to hold
the same for ever, upon the following terms namely
upon Condition that the said Rees, his Heirs or
assigns, shall annually account in writing, to the
heirs or assigns of Namanu, for all the Rents,
or Produce arising, from the use of said Upland,
and shall make annual payment to the Heirs or
Assigns of Namanu, of the one half of all such
Rents or Produce: the first payment to be made
one Year from the date of this Award.

And this Award is upon this express condition
that upon the failure of the said Rees, his heirs,
or assigns, to make the aforesaid annual account
and payment as above mentioned, the Rights of
the said Rees, his Heirs or Assigns, in said
Upland, shall determine; and the same shall
revert to the said Namanu, his Heirs or Assigns.

Namanu insisted that all the right of
Rees in the upland of Hoaeae had terminated, upon
the grounds, that he had forfeited the condition upon
which he held the Land. But the Board have
been spared the trouble of discussing and deciding
this point, by obtaining the Consent of the Heirs of
Namanu to the above Award.

The claimant Rees has handed to the Board
a printed and sworn statement, made by him before
Consul General Miller, excepting to the Constitution
of this Commission, in its Capacity to decide this
Case,

from the circumstance, of Namauu's being one of the Members of this Board, and he expresses his fears, that he will be able to deceive the Board:- or in other words - that the Board are so deficient in purity of motive or judgment, that they are capable of being warped in their decisions, by the influence of one of its members.

Without regarding such insinuations we would simply remark that Namauu died and another Commissioner was appointed to fill his place in this Board, some months previous to the making of this Award

The following Survey will shew the correct bounds of Hoaeae; and includes, though it does not particularly define, the bounds of that portion ~~of the lowlands~~ of Ulalena, awarded in Fee-simple.

The law requires existing possessory rights of tenants to be respected.

"Notes of Survey of Hoaeae in Ewa" Oahu"

"Commencing at pile of Stones by Sea (Kalahina bay) at Makai S. E. corner of this Land, joining Waikele, and running S. 18° 45 W. 15 Ch. 6 1/12 Ft. along Sea to stake near end of wall on top of Pali by Sea at Namauus' land. Then following along wall seperating this from Namauus' land to Mauka N.E. corner of wall. Thence N. 29° 15' W 1 Ch. 20 1/2 Ft. to stake by path at the N. E corner of Namauus' land (where wall formerly was) Thence S. 70° W. 6 Ch. 7 3/12 Ft. across Ravine or flats to Rock on makai edge of new Gulch about 4 Ch. easterly of L. Rees' dwelling house. Thence S. 50° 15' W. 3 Ch. 11 1/2 Ft. to large Rock at head (at present) of new Gulch. Thence S. 45° 30' W. 5 1/2 Ch. to W. corner of old stone pig pen. Thence S 55° 15' W. 12 Ch 3 1/12 Ft. always along where old wall stood to wall again. Then following along around wall and Ra Pali to stake at-

Makai S. W. Corner of this land at or in place Called Kaulu (the Kula land ends here, but the Sea of this land extends down to point marked P on Map.) Thence N. 45° 30' W. 51 Ch. 13 1/2 Lks. to point in old Road on mauka side of Gulch. near Mauka N. W. Corner of Namauu's land - along land Called Konouliuli leased by J. M. Meek Jr. Thence N. 47° 15' W. 42 Ch. 59 5/12 Lks. to Rock by Road Called Pohaku Palahalaha - Thence N. 29° 45' W. 29 Ch. 20 Lks. to stone marked + by Road - Thence N. 31° 15' W. 71 Ch to Rock marked + by Road - Thence N. 33° 15' W. 97 Ch. 20 Lks. to large Wiliwili tree - Thence N. 44° 45' W. 57 Ch. 26 Lks. to old Kukui tree - angle - Thence N. 29° 30' W. 64 Ch. 13 Lks. always along Konouliuli to pile stones on N upper bank of Ekahanui Gulch at Mauka N. W corner of this land - Thence N. 32° 15' E. 45 Ch. 20 Lks. to Kukui tree marked A in clump of Kukui's - Thence N. 36° 15' E. 55 Ch. 20 Lks. always along land called Lihui in Konouliuli to large Kukui tree marked B on bottom W. edge of Waikele Gulch at Mauka N. W. corner of this land - Thence S. 76° 15' E. 12 Ch. 6 1/2 Lks. along bottom Gulch to small single Kukui tree - Thence S. 38° 15' E. 17 Ch 26 1/2 Lks. along bottom Gulch to point - angle - Thence S. 37° 45' E. 40 1/2 Ch. along bottom Gulch to Rock marked + angle Thence S. 26° E. 46 3/4 Ch. along bottom Gulch and up Pali to small Koa tree marked + on right upper edge - Thence S. 26° 30' E. 22 Ch. across dry Gulch to high peaked Rock marked +. N. of Ekahanui Gulch - Thence S. 21° E. 19 Ch. 46 Lks. across Ekahanui Gulch to stake - Thence S. 31 1/2 E. 43 1/2 Ch to stake on Ridge - angle - Thence S. 25° E. 226 1/2 Ch always along Waikele to Place of Commencement Including an area of Acres 324.53

Sep'r 3. 1848. J. Metcalf Sur.

See diagram Page 539.

Costs. Adjudication of C N° 193 Lewis Rees $ ¢

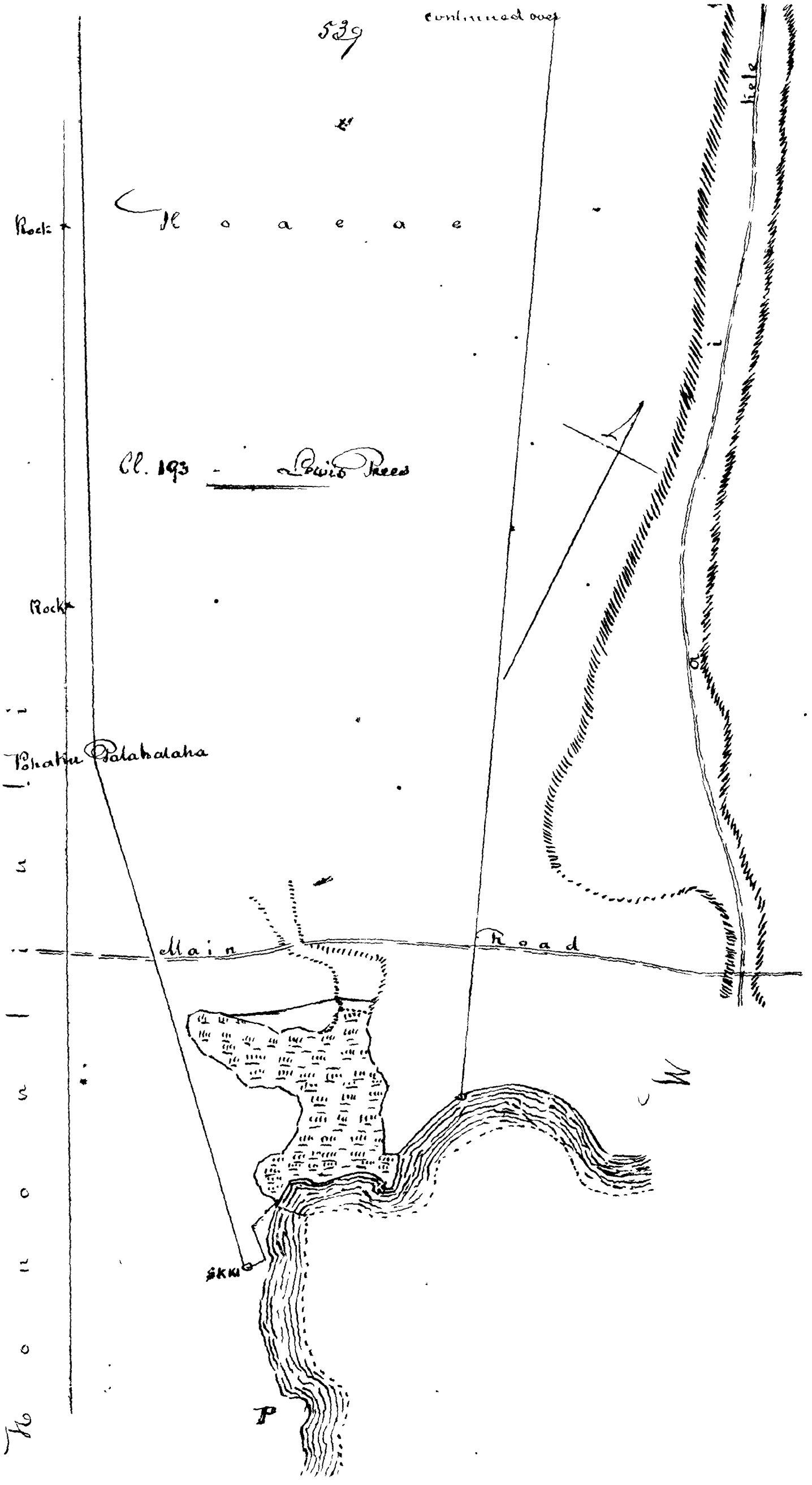
To Incidental Expences &c		1	
Action of the Board on 26 May 1847		1	
Citation for attend.ce			50
deposition of Claim reduced	$1		50
draft Testimony reduced and Engrossed			
on 26 May 1847	$1.	3	
do do on 26 April 1848	$12	9	
do do " 17 May "	$2	1	50
do do " 22 " "	$3	2	25
Engrossing survey made by J Metcalf			
for Claimant	$10	5	
Report of Commissioners this day rendered			
on the above Claim		5	
		28	75
Hale Naauao. Honolulu.			
Oahu			
15th February 1849 Deduction made by order of the Board of		3.	75
		25	
William L. Lee			
H Smith — S.			
V. Kamamau			
L.M.Kamakau			
Loane Li			

Liber Page 630 Copy of above Award delivered to Lewis Rees Feb. 20th 1849
& Hawaiian Copy of the last Part to Kekauonohi. W Smith Lee

539

continued over

Cl. 193 - Lewis Rees



Williamsville Line

Old Kaikou Line

Koalisees

Continued from the other Sede

Kaikou

Kaikou R.

Koalfeet

Rocks

Waik

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e

Cl. N°71. Michael J Nowlein

This is a Claim for a tract of Land, Comprising parts of Papakapu and Kahoi: situated in the district of of Waikapu - Island of Maui.

From the Evidence taken, it appears, that this Land was given to the Claimant by Kaahumanu (probably at the time stated by the Claimant, in the Year 1827) and that he has had peaceable possession of the same ever since the date of the Gift.

The Claimants title is rendered Clear by the Testimony: it being precisely of the same extent and nature, as that of any of the Chiefs to their Lands: namely: a freehold Estate less than allodial, or in other words - a life Estate in said land.

We do therefore award to Michael J Nowlein a freehold Estate less than allodial: or in other words, a life Estate, in said land; which freehold or life Estate, he may Commute for a fee-simple title as prescribed by Law. The Correct bounds of this land are set forth in the annexed Survey by J. Metcalf Esq: dated Jan'y 22d 1847.

"Survey of Papakapu and Kahoi in Waikapu Maui."

Commencing at pile of Stones on Ledge of Gulch - it being the N. Corner of Wm Humphreys land, joining Puhiawaawa and Pohakoi - and running N. 48° E. 7 Ch. 29½ lks. along between this - Papakapu) and Pahakoi, to stone. Thence N. 55° 15' E 21 Ch. along Pohakoi across Roads to Rock at top of first sand Ridge at land Called Ohia - Thence N 1° 15' E. 7 Ch. 47 lks. along sand Ridge, between this and Ohia to Rock - Thence S. 80° W. 152 Ch. along between this land & Palama up Ridge Called Lapakalio to Haanui - Thence S. 31° E. 18 Ch. along via Haanui down Lapakalio and up Lapaleihua to top joining Wm Humphreys N. W. Corner at intersection of

Lateral ridge with Lapaleihua. Thence N 87°. 45'. E. 69 Ch. along down top of Lapaleihua - the boundary line between this and Wm Humphreys, across Stone wall to stake. beside Kiato patch, mauka of Lauhala tree - Thence N. 72° E. 50 ch. 53 ft. along between this and Humphreys to place of Commence - Including an area of

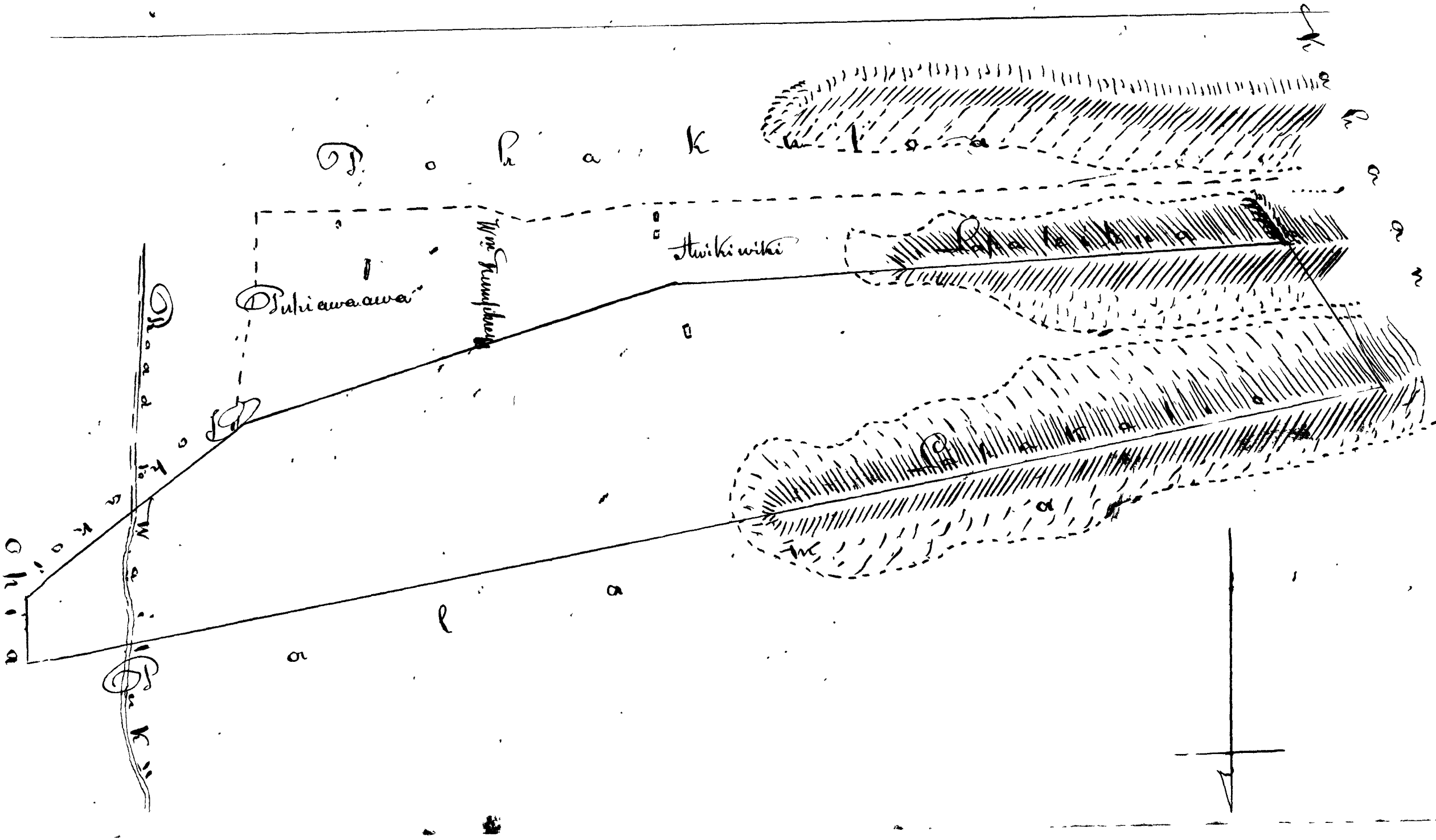
Jan^{y} 22. 1847. Acres. 303 ½

Costs. Adjudication of Cl. N^{o} 71. M. J. Nowlein D^{l}

To, Incidental Expences of Commission			
Action of Commission in this Claim on 21st December 1846		1	
Citation for attendee			50
draft deposition of Claim Reduced	$1		50
draft testimony reduced and Engrossed on 21 December 1846	$2	1	50
Engrossd. Survey of above Claim	$1	2	
Report of Commissioners this day Rendered on the above Claim			50
		11	50

William L. Lee
Jno. Smith
Y. Kaumuai
Wm Konuakea
Secretary

Hale-Kauwila
15 February 1849


Park
Wm Humphreys
Hwiki wiki
Pukiawaawa
Road

5°1, 1.

C. № 1178 - George M. Moore ll.

This is a Claim to a lot situated in Pihonua Hilo, Island of Hawaii.

From the Evidence taken in this claim, it appears, that the claimant and his Wife Naomi, have had the possession of the ~~greater~~ portion of this lot ever since the Year 1838 - That in 1839 the title to this land was disputed by Messrs. Coan and Wilcox - Missionaries - and that this dispute was settled by Governor Adams and the Representatives of Hawaii; who decided that it belonged to Naomi the Claimants Wife; that a small portion of the lot included within the dotted lines of the annexed plot, was given to Claimant in the Year 1845 or 1846 by Mā, who received it from Gov. Adams; and that he has possessed the same up to the present time.

There has been, and still is, much dispute in reference to this land; but the Board being of the opinion, that the Claimant and his Wife, are clearly Entitled to the same: We do hereby award to George M. Moore, a Freehold Estate less than allodial; or in other words, a life Estate in said land, which he may Commute for a fee simple as prescribed by law.

The Correct metes and bounds of said lot are set forth in the following Survey of Metcalf-

---

"Survey of George M. Moores dwelling house lot - Pihonua - Hilo Hawaii.

" Commencing at W. Corner of this lot 63 1/12 ft. mauka of corner of Main and Kings Streets on Puna side of Kings St. and Running N. 51° 30 E. 3 Ch. 61 10/12 ft. along Kings St. to W. Corner of Cap: C. Hoyers dwelling house lot - Thence S. 32° E 2 Ch. 60 9/12 ft along Cap. Hoyers, and lot claimed by one Hanaumaikai, to E Corner of this. Thence S. 63° W. 3 Ch. 5 7/12 ft. along Punahou -

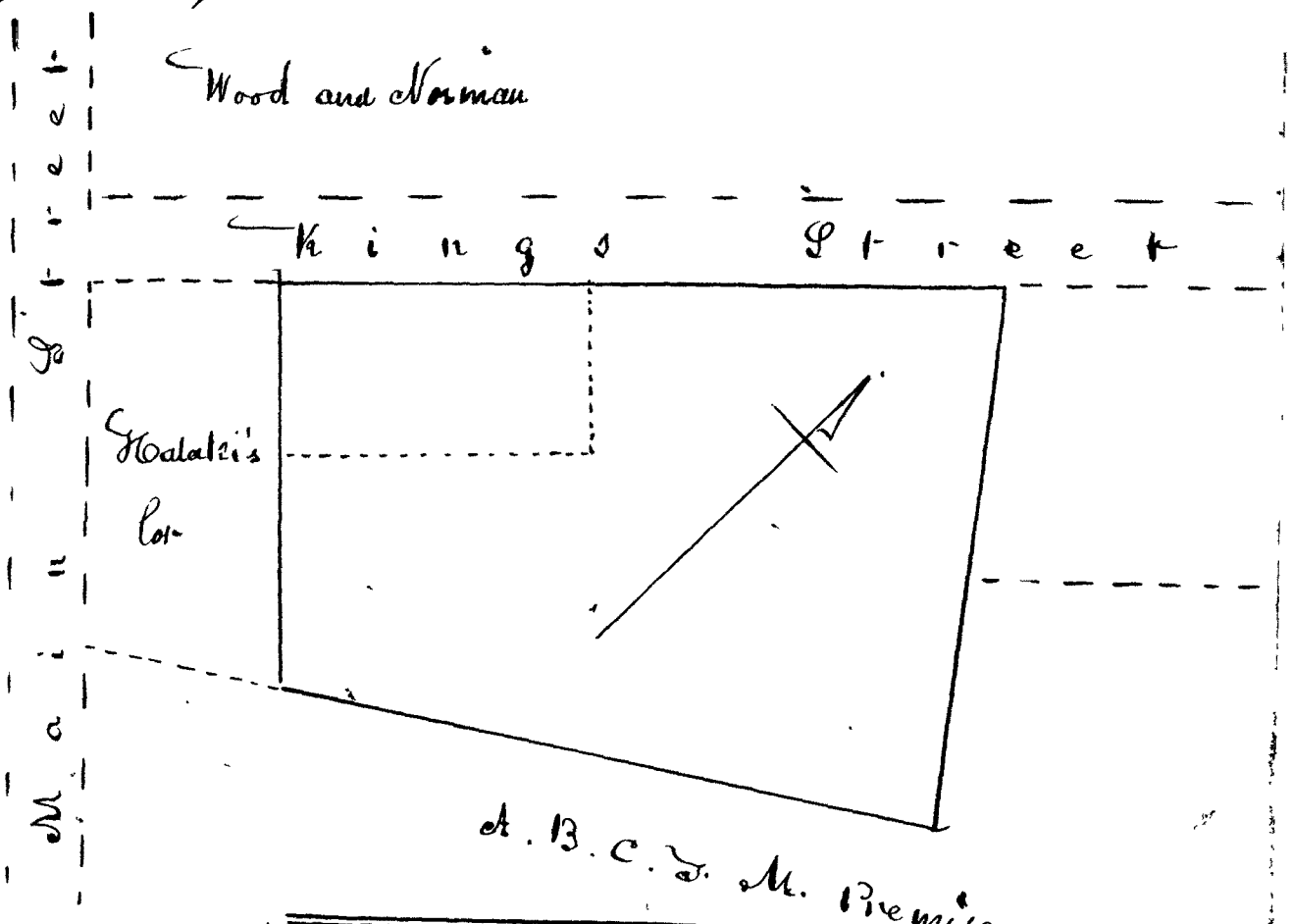
the A.B.C.D.M. Premises to S. Corner of Hes' Lot. Thence N. 41° 30 W. 1 Ch 19 60/12 Lks. along Halaki's & P.B. Pitmans Mothers in law's Lo slight angle. Thence N. 43° W. 60 1/12 Lks. along Halaki's to place of Commencement Including an area of

96/100 of one Acre.

Note. The dotted lines in W. Corner of diagram denote the Konohiki Right. it Contains 186/1000 of one Acre.

J Metcalf
Sur.

July 5. 1847.



Costs. Adjudication of Ap. 1178. S.M. Moore $1.

Incidental Inspect and action of Board on 26 Jan.y 1848	2	
draft def.ts of Claim reduced $2.- & citation 50 cts	1	50
" testimony reduced & ingrossed on 26 Jan.y 1848 $3	2	25
J Metcalfs Survey & - ingrossd same $3.- & 1.50	9	50
Report of Commissioners this day Rendered in the above Claim	5	
	20	25

Hale Kauwiwi
15 February 1849

William L. Lee
I K. Smith
S. Kapuwai
S.M. Kamakau
Jurors

Claim No. 643. George W. Macy

This is a claim made by George W. Macy on behalf of his Wife Lydia Anne Macy, for a land situated in the district of Wailuku Island of Maui. The land is known by the name of Kumaheanaiui, and Consists of two divisions, together with a Fishing Ground.

The claimant in support of her claim, Offered in Evidence, the following deed or Contract executed by his Majesty Kamehameha III and Kekauluohi, of the one part; and Samuel Miles the father of the claimant, of the other part; on the 12th day of December A D 1840.

"I Kamehameha III hereby transfer forever, to Lydia Anne Miles, daughter of Samuel Miles, a certain farm in Wailuku, Maui named Kumaheanaiui. Said farm is in two divisions, together with a Fishing Grounds, which makes the third. Said farm is transferred on the following Conditions.

Said Samuel Miles is to finish for the King, the Stone house at Wailuku in good style: That is, he is to do the Carpenters Work. Furthermore, he is to repair the seven Carts of the King whenever they shall be broken; not-however, if they shall be broken so as to be ruined.

Furthermore he is to Cooper. four hundred barrels of Casks for the King; but he is not to go out of Wailuku to do it; and the King is to furnish boards, lumber and tools for the whole of said business of every kind.

And it is further agreed, that during the period that said Samuel Miles is actually employed for the King; then the men on his land shall not be called to the Kings Paahao.

And it is further agreed, that should the said Miles decease before the work

"mentioned above is all performed; the land shall,
"nevertheless, be Confirmed for ever to the daughter and
"her heirs. But she, and the land, like that of all other
"people shall be entirely subject to the law of the
"kingdom.

"Samuel Miles is to be the Guardian of
"his daughter; and is to have charge of the land,
"during his natural life; but it can never be trans
-ferred to any other foreigner.

"In testimony of our mutual assent,
"to the above, we have hereunto subscribed our names
"this 12th day of December, in the Year of our Lord
"1840, at Lahaina Maui."

"(Witness to the signatures)
William Richards

Kamehameha III
Kekauluohi
Samuel × Miles mark "

The above deed Conveys a title in fee
simple to the Claimant, upon certain Conditions
therein named; but the Land Commission,
upon the application of the Claimant's husband
George W. Macy, having been duly authorised by the King in Privy Council to release
the Claimants, and all other persons, from the
Conditions and obligations containing in the aforesaid deed or contract upon the payment
of the sum of One hundred and seventy five dollars,
agreeably with Mr Macy's offer, and to award
the Claimant a fee-simple title to this land:—

We do therefore award to Lydia Anne
Macy, the Wife of George W. Macy, and daughter
of Samuel Miles, the land of Kumakeanamii,
according to the Metes and Bounds of the annexed
Survey, made by J. Metcalf Esq^r on 24th day of
October 1846; to have and to hold, to her, and her
Hawaiian heirs for ever, upon payment to his Ma-
-jesty's Chamberlain of the sum of One hundred
and seventy five dollars.

"Notes of Survey of Loiloa in Waiuku Valley. Maui."

"Commencing at end of Wall at foot of Pali on the division line between this land and a land called Maniania, and Running N. 89° W. 3 ¾ Ch. along Wall & bank to angle. Thence N. 70° W. 63 ft. to angle of bank. Thence S. 61. 30 W. 1 Ch. 31 ft. to stone wall. Thence N. 44° W. 1 Ch. 52 ½ ft. along wall to River (the land on Makai side of this wall belongs to a native by name of Keahi) Then (S. 80° W. 1 Ch. 26 ½ ft. S. 67° W. 7 Ch 62 ½ ft. to a small kukui tree. S. 62° W. 5 Ch 26 ½ ft. S 73° W. 1 Ch. S. 44° W. 8 ¼ ch. S. 66° W. 11 Ch. 13 ft. and S. 13° W. 1 ½ Ch. to Hakapu Stream) Following up Waiuku River to a little Rivulet on S. side of Valley to land called Pili o Kakai. and on Mauka side of hill called Haakapu, belonging to this land. Then by following down foot of Pali to place of Commencement, it Contains an area of abaut 25 acres.

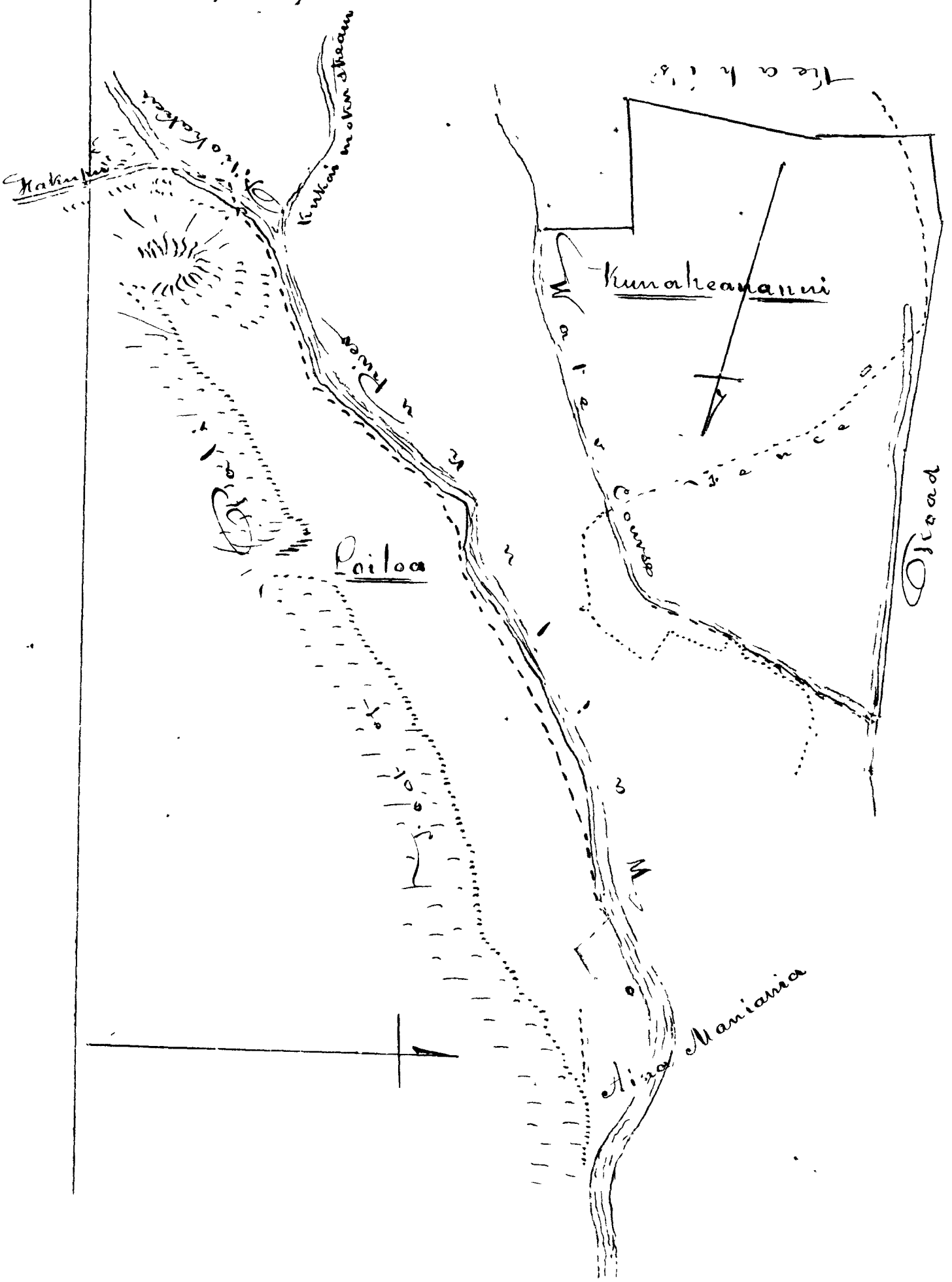
October 21. 1846"

"Notes of Survey of Land in Kunaheananui-Waiuku Maui"

Commencing at Stake by old wall joining Keahi's land on S. side of this by road, and running N. 72° 30' E. 2 Ch. 30 1/12 ft. along Water Course to angle, the boundary line between this and Keahi's land. Thence N. 84° E. 6 ½ Ch. to stake along between this and Keahi's land. Thence N. 20° 30 W. 1 Ch. 21 ½ ft. along between this and Keahi's land to Stake. Thence N. 70° E. 2 Ch 65 ½ ft. to Water Course. Thence (N. 19 W. 2 ½ Ch. N. 33° 30 W 7 Ch. 41 ½ Ch N. 5 ½ W. 3 ¼ Ch & N. 80° W. 7 Ch. 26 ft.) Following up Water Course to stake at Road by forks of Water Course. Thence S. 12° E. 8 Ch. 49 feet-along

Road to Stake mauka side of prickly pear trees - Thence S. 8° E. 7 ½ ch. along Road - Thence S. 31° 30' E. 3ch 8 ½ lk. to end of New-mud wall by Road - Thence N. 65° E. 1 Ch. 12 lk. to place of Commence - including an area of Waiuku Oct: 24 - 1846 Acres 17 ½

Note - There is a Sea belonging to the land of Kumna-hearuncui & Loiloa for the purpose of fishing by the name of Kopukoa. extent unascertained -



Costs. Adjudication of Claim № 613. George W. Macy Dec.

To Incidental Expences of Commission		1	
Action of Commission on 21 February 1849		1	
Draft deposition of Claim reduced including Copy of Original Deed	£1	2	
Draft testimony reduced and Engrossed on 21 February 1849.	£3	2	25
Engrossing Copy of two Surveys by J. Metcalf	£8	4	
Report of Commissioners this day rendered on the above claim		5	
		15	25

Hale Kauwila Honolulu
21 February 1849

William L. Lee

J. H. Smith
H. Kuaiwai
S. N. Hamakua

#1 - 11 70
2 - 6 36
3 - 6 30
4 - 4 80
5 - 31 80
6 - 160
62 31 46

R. N° 327. B. John Preveer. (In 6 distinct parts)

Part I

This is a claim to a House lot, situated in the district of Kaanapali, Island of Maui.

The Claimant has submitted to the Board a deed of this land, from his Majesty Kamehameha III and Governor Adams, executed on 6th day of January in the Year of our Lord 1840 conveying this house lot in Connection with a land Called Waihale with all the Rights privileges and appurtenances thereunto Belonging, to the Claimant John Preveer, and his Hawaiian-born heirs to have and to hold for ever; but upon the condition, that they shall never dispose of the same to any alien.

There can be no question about the Character or validity of the Claimants title; and we do hereby Award to John Preveer and his Hawaiian born heirs, the above named house lot; to have and to hold to them for ever, upon the Condition, that the said Preveer or any of his heirs shall never dispose of the same, or any portion thereof, to any alien. The bounds of this lot are defined by the following Survey of J Metcalf Esq."

"Notes of Survey of Wainalee in Kaanapali, Maui

"Commencing at stake on bank by wall on S. boundary of this land, joining Kekuanaoa's; and running N. 77° 30' W. 5 3/4 Ch. along between this land and Kekuanaoa's to Rock. Thence S. 35° W. 7 Ch. 12 Lks. to ~~Rock~~. Thence S. 28° 15' W. 6 ch. 30 Lks. along Loinui to Rock at high water mark. Thence S. 6° 30' E. 10 Ch 22 Lks to little water Gulch between Loinui and Haainaiki along Sea Then from point of Commencement run N. 84° 30 E. 9 Ch 47 Lks. along Kekuanaoa's to Honokawai River. Then following the Course of Honokawai Stream to the Sea. Then following Sea shore to S. Boundary of this land.

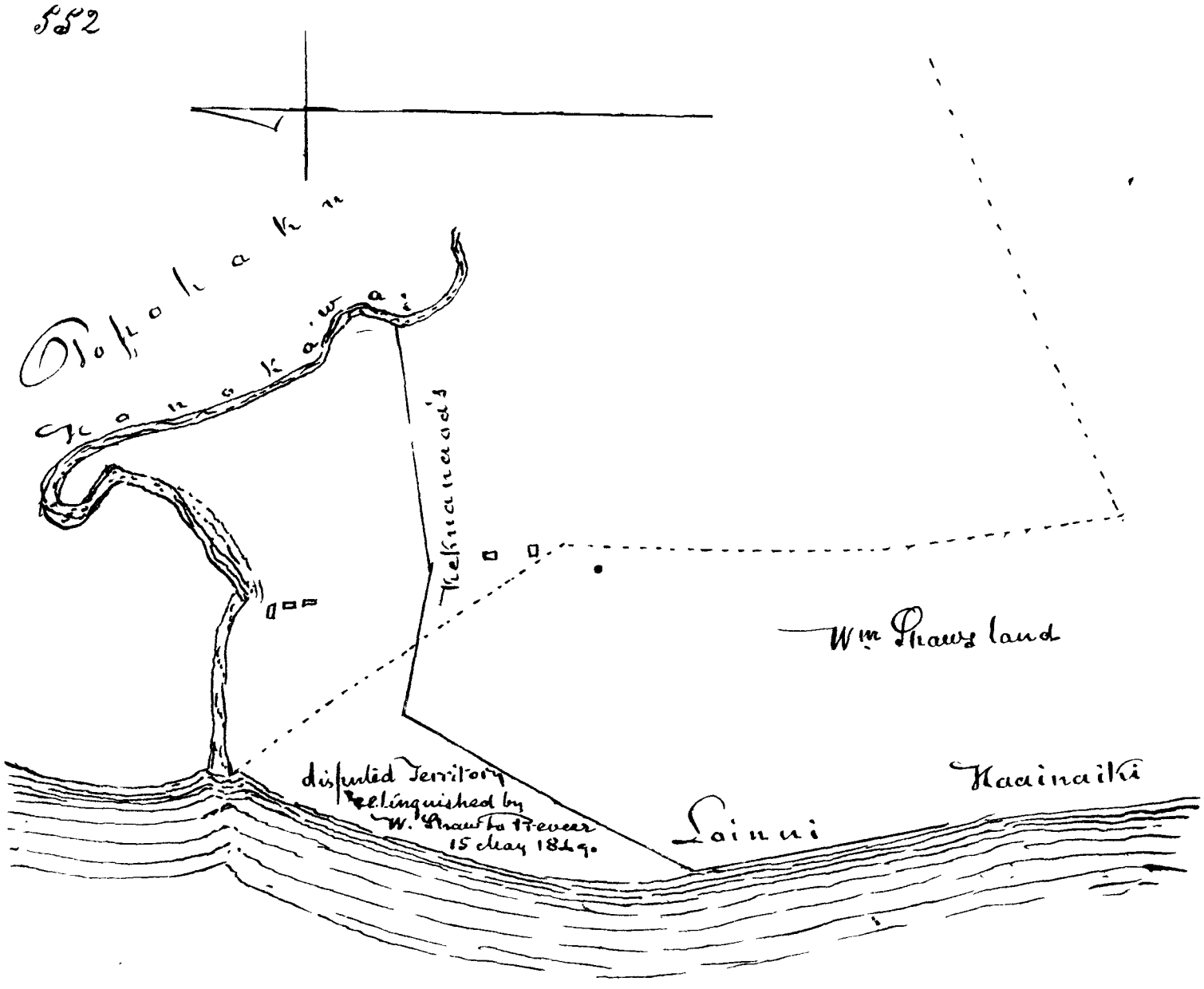
Including an area of Acres 17 80/100

6 10/100 Shaw

11.70

Note. Wm Shaw claims part of this land. See diagram dotted line - amounting to 6 1/10 Acres. Included in above.

552



No 327 B. Part II

This is a Claim to a portion of land, called "Kou", and included under the general name of "Waikale"; situated in the district of Kaanapali Island of Maui.

This land was conveyed to the Claimant by his M.y Kamehameha III and Gov: Adams, by deed executed on 6th day of January A.D. 1840.

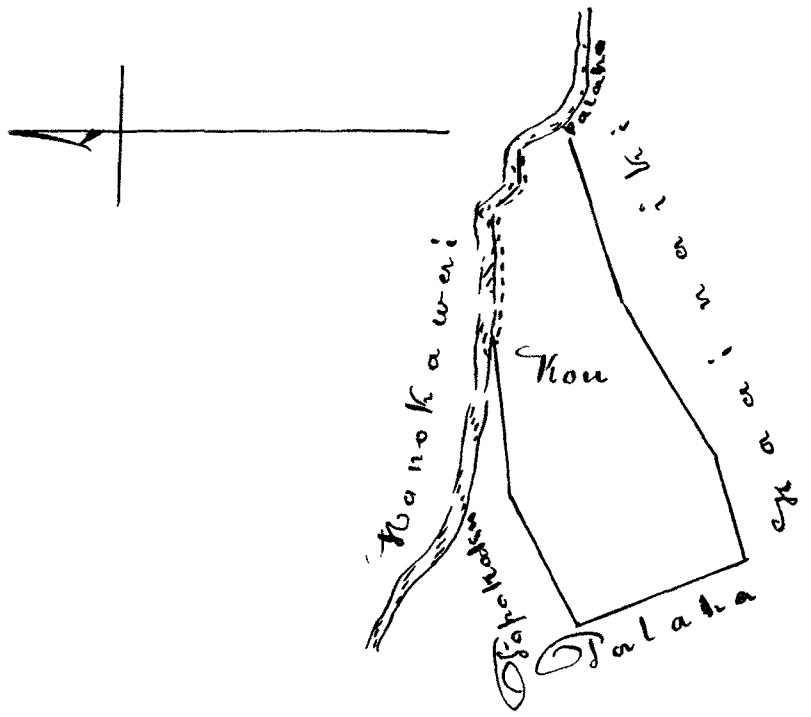
The Claimants title is made perfectly Clear by the deed - and We do hereby Confirm said Conveyance; and Award to John Prevear, the aforesaid land upon the terms expressed in the said Deed; namely to have and to hold to him and his Hawaiian-born heirs for Ever, upon the Condition however, that said Prevear or any of

his heirs aforesaid, shall never dispose of the same, or any portion thereof to any alien. The correct bounds of this land are set forth in the annexed Survey made by J. Metcalf on 31st day of December AD 1846.

"Survey of Kou."

"Commencing at W. Corner of Stone wall enclosing this land joining Palaha on W. and Pohakuu on N. and running S. 19° 45 E. 5 Ch. 62½ ft. along Palaha to Corner wall and ditch at Kaainaiki. Thence N. 74° 15' E. 3 Ch. 15 ft. along Kaainaiki to angle. Thence N. 60° E. 6½ Ch. to Rock. Thence N. 74° 30 E. 5 Ch. 23 ft. along Kaainaiki and Pali to Rock. S. E. Corner of this Land. Thence N. 10° 30' W. 1 Ch. 34½ ft. along Palaha to Konokawai stream. Thence N. 89° W. 1 Ch. 23 ft. along stream. angle. Thence N. 46° 30' W. 64½ ft. along stream angle. Thence N. 88° W. 1 Ch. 36 ft. along stream. angle. Thence S. 81° 30' W. 1 ch. 64 ft. to junction of walls. Thence S. 69° 45' W. 1 Ch. 67 ft. along wall. Pohakuu to point of Commencement. including an area of

Acres 6 86/100



No 327 B. Part III.

This is a claim to a piece of Kula land, Called "Pohakiki;" included under the general name

554

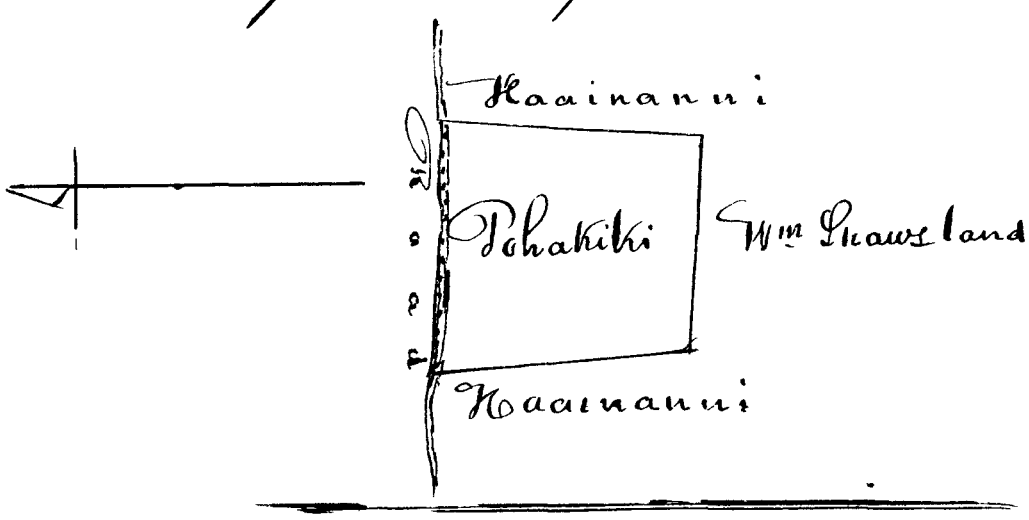
of "Waihale" situated in the district of "Kaanapali" Island of Maui.

This claim is made perfectly clear by a deed from his M.y Kamehameha III and Gov.r Adams. to the Claimant - executed 6th day of January A. D. 1840.

And We do hereby Confirm said Deed; and Award to John Pireer the aforesaid Land of Pohakiki, with all the privileges thereunto belonging upon the terms expressed in said deed. Namely - to have and to hold the same to himself and his hawaiian-born heirs for Ever: - provided however, that said Pireer or any of said heirs shall never dispose of said land to any alien. The correct bounds of this land are described in the following Survey of J. Metcalf Esq.

"Survey of Pohakiki - Kula."

"Commencing at pile of stones by Road joining Kaainanui on Mauka - Wm Shaws land and running S. 3.° 30' W. 5 Ch. 43 ft. along between this land & Wm Shaws - to angle Thence S. 6.° 45 W. 2 Ch. 29 ft. to two Rocks at old Road - thence N. 86.° W. 7 ch. along old Road to stone by old Road thence N. 8 Ch. 20 ft. along Wm Shaws Kaainanui to new Road - thence S. 85.° 45' E. 7 ch. 41½ ft. along new Road to place of Commencement — including an area of Acres 6 3/10



No. 3276. Part IIII

This is a claim to a piece of Kula land included under the general name of Waihale, located in the district of Kaanapali, Island of Maui.

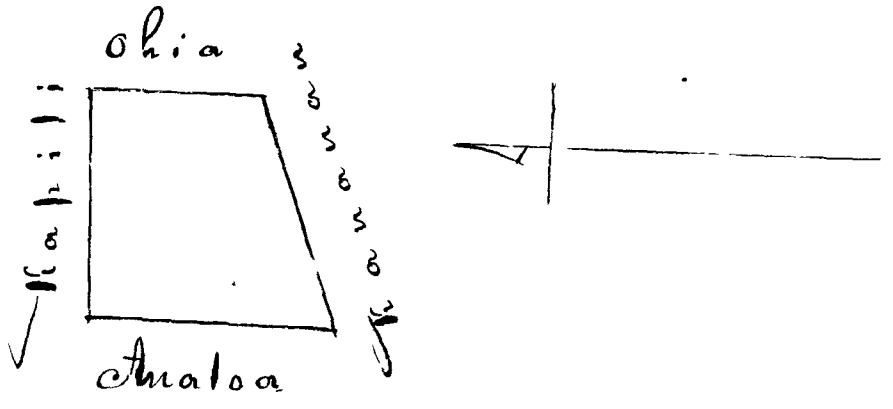
The claimant has presented to the Board in support of his Claim, a deed for the same, executed by K. M. Kamehameha III and Governor Adams on 6th of January A.D. 1850, and which deed establishes the Character and validity of his claim beyond a question

In conformance with said deed We do hereby award to John Prever and his Hawaiian-born heirs for ever, the aforesaid land, according to the metes and bounds of the annexed Survey, made by T. Metcalf Esq. 31 Dec.r A.D. 1846- Provided However, that said John Prever or any of his heirs aforesaid shall never dispose of said land to any Alien-

"Survey of another piece of land on Kula - Called Waihale

"Commencing at large Rock at S. W. corner of this land, near Kanaunau Gulch on S. and Analoa on W. and Running N. 70° E. 7 Ch. 46 ft. along Kanaunau to Rock at Ohia- Thence N. 2° 30' E. 5 Ch. 15 ft. Along between this land and Ohia to Kapili- Thence W. 7 1/4 ch. along Kapili to Rock at Analoa- Thence S. 1/2 ° W. 7 Ch. 60 1/2 ft. along between this land and Analoa to point of Commence!- Including an area of

Acres 4 8/10



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No. 327 B. Part 5

This is a Claim for a piece of Kula and Kalo land, included under the general name of "Waihale" situated in the district of Kaanapali, Island of Maui.

The claimant title to this land is made perfectly clear by a deed from his M.ty Kamehameha III and Gov.r Adams - executed on 6.th of January A. D. 1850 - and in accordance with the terms of said deed -

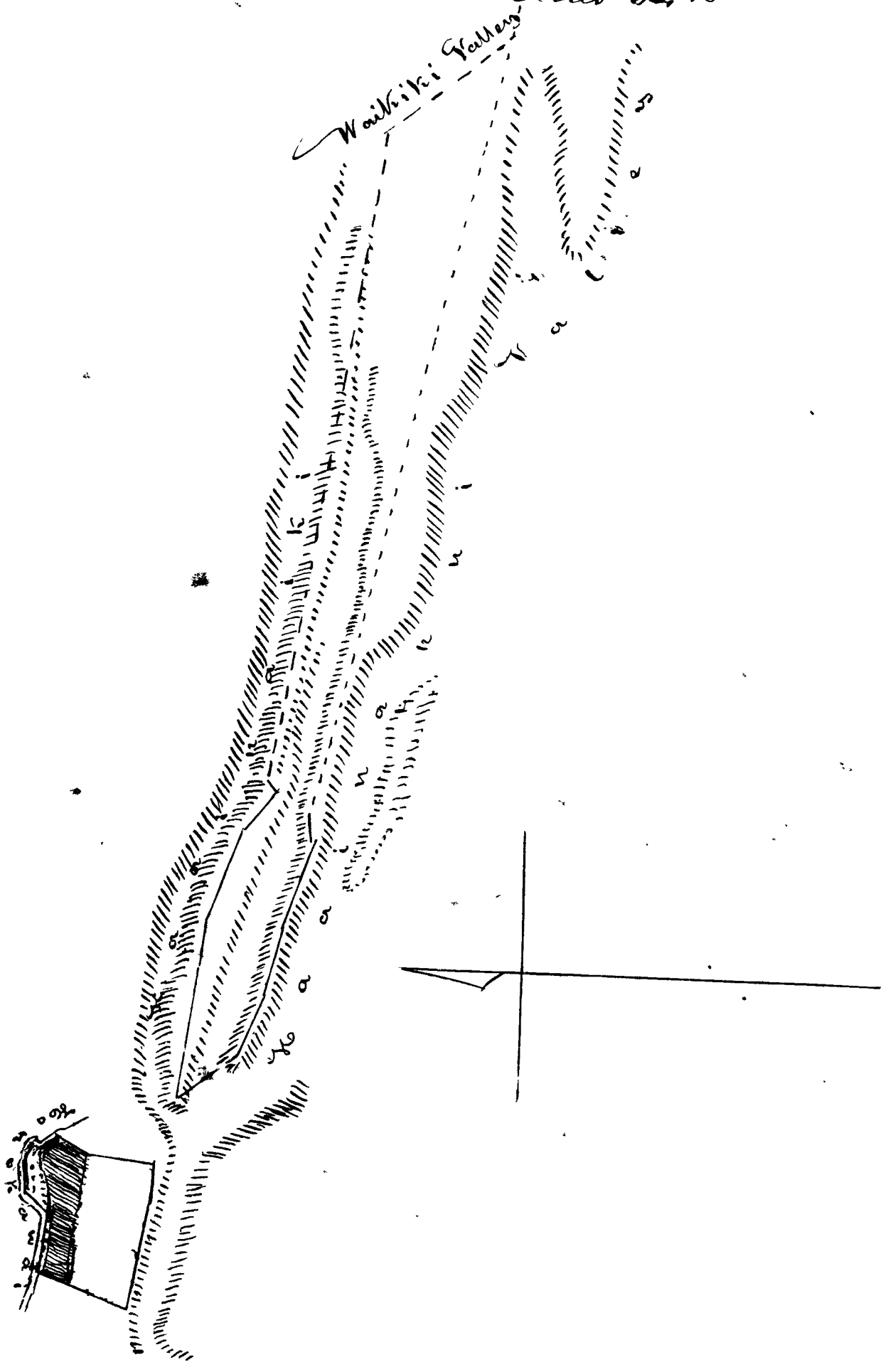
We do hereby award to John Prevees, the aforesaid land, according to the metes and bounds of the annexed survey, to have and to hold to himself and his Hawaiian born heirs for ever - but this award is upon this express condition contained in the aforesaid deed; namely that the said Prevees, nor any of his heirs, shall ever dispose of this land to any alien.

"Survey of Kula and Kalo ground called Waihale

"Commencing at N. boundary of this land at edge of S. pali of Honokawai Valley, joining land called Kapili on W. and running S. 25° W. 8 Ch 2½ Lks. along Kapili, across gulch at S. bank at point 20 Lks. mauka of large Rock. thence S. 18° 15' W. 2 Ch. 10 Lks. to stone by foot path little mauka of prickly pear bush. thence S. 80°. 30' E. 15½ Ch along top of Ridge on N. side of Haainanui Gulch to angle Thence S. 86° 30' E. 6 Ch. 26½ Lks. along same ridge to road crossing gulches. Thence N. 4° 45 E. 3 Ch 28½ Lks. across Gulch to point. Thence N. 2° E. 6 Ch. 26 Lks. between this and Mr Shaws land, to brink of Honokawai pali. thence N. 29° 30' E. 3 Ch. 56 Lks. down pali to Rock at foot upper side of water run. the point between this & Wm Shaws Kalo land. thence N. 50° E. 6 1½ Lks. along between this land and W.m Shaws to angle. thence N. 39° 30' W

3 ch. 21 ft. to ann along Honokawai River - angle - Thence N. 18° 30' E. 1 ch. 29 ½ ft. to large Rock in middle of River - thence N. 56° W. 1 ch. 35 ½ ft. to point side of River stream - thence N. 89° 30' W. 6 ch. 20 ft. along River thence S. 42° 45' W. 3 ½ ch. to foot path by Rock little below Lauhala trees - thence 86° 30' W. 9 ch. 13 ft. along down River to end of Mr. Prevees Kalo land - thence S. 13° 30' W. 4 ch. 20 ft. up hali to place of Commenced - Including an area of -

Acres 34 9/10



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C. № 327 B. Part 6

This is a claim for a piece of Mountain land called "Kumukahi", being a portion of the large land of "Waihale", in the district of Kaanapali Island of Maui.

This land was conveyed to the Claimant on 6th day of January 1840 by K. M. Kamehameha III and Governor Adams, and in accordance with the terms of said deed.

We do hereby Award to John Prever the aforesaid land according to the metes & bounds of the annexed Survey made by T. Metcalf on 31st December 1846: to have and to hold to himself and his Hawaiian bon heirs for ever. But this award is upon this express condition contained in the aforesaid deed; namely - that the said Prever, nor any of his heirs, shall ever dispose of this land to any alien.

"Survey of Kumukahi Mountain land

"Commencing at Rock, makai corner of this land a little above intersection of Kaainaiki and Pohakuloa gulches, and running S. 85°. 30 E. 19 Ch. 41½ ft. along N. of middle of Kumukahi Ridge to stake - thence S. 84. 45 E. 6 Ch. 62½ ft. along Ridge to Rock 50 ft. from edge of Kaainaiki Gulch - thence S. 70° 30' E. 14 Ch. 43 ft. to stake - thence S. 53° 45 E. 7 Ch. - thence N. 63° 15' E. 2 Ch. to edge of Kaainaiki Gulch - thence S. 81° 45 E. 97 ch. following along top edge of side of Kaainaiki Valley to low bushy Green tree to N of large dry Ohia tree near Waikiki Valley mauka - then running along makai side of Waikiki Valley 22 Ch. to large bushy topped Ohia tree standing on line between this land and Wm Rawls - thence N. 78°. 30' W. 117 Ch along down Ridge to point stake on narrow point of Ridge between Kaainanui & Kumukahi Valleys -

and between this land and W^m Shaws opposite of Kahuwai in Haainanui Valley- thence S. 75° 45' W. 1 ch. 20 lks. along top of Ridge between this and Shaws to angle- thence N. 73° 30' W. 9 ch. 39 ½ lks. along middle of ridge to angle- thence N. 72° 45 W. 3 ch. 62 ½ lks. along Ridge to angle- thence N. 76° 45' W. 11 ch 26 lks. along near Haainanui Valley to angle- thence N 70° 15' W. 9 ch. 43 lks. to Rock. near makai junction of Haainanui and Kumukahi Valleys- thence N. 43° 30 W. 10 ch. across Kumukahi Valley or Gulch to place of Commencement- Including an area of about Acres 160

Dec 31- 1846

See Page 557. for diagram.

Costs- Adjudication of R. P. 3273 B. John Prevea —

To Incidental expenses 1- of Comm^rs		1
Action of Commissioners in this cl. 21 Dec- 1846		1
Deposition of Cl. reduced	£2	1
Citation 50 cts- dr. test.^y red.^d & eng.^d for 21 Dec	£2	75
Engrossg- Copy of Survey by J Metcalf Part-1	£4	2
" " " Part-II III & IV	£12	6
" " " Part- 5	£6	3
" " " Part- 6	£4	2
Report of Commissioners this day rend- ered on 6 seperate claims included in Claim N^o 3273 B		30
		46 75
deductions by order of Board of 3 in Charge of Report attached to each of the 5 last claims		15
		31 75

Hale Naauao
Honolulu March 5th
1849-

William L. Lee
J. H. Smith
J. Kaauwai
S. M. Kamakau
Commissioners

C. № 1177 William Bell.

This is a claim to a house lot situated in Honolulu, Island of Oahu.

From the Evidence submitted to the Board it appears, that Claimants Wife Malaea, purchased this land from William Stevens, in the Year of our Lord 1829; paying therefor the sum of twenty dollars: that in the Year 1837 Malaea died, leaving the Place to her Brother Palahea; and that in 1839 Palahea died, leaving it in the Possession of the claimant Bell; who has continued to occupy it by himself or his Agent, ever since. There is a counter Claim presented to the Board for this place by Wm Stevens;- but holding such counter claim to be without foundation, We do hereby Award to William Bell, a Freehold Estate less than allodial: or in other words- a life Estate in said lot: which he may Commute into a Fee-simple title as prescribed by law.

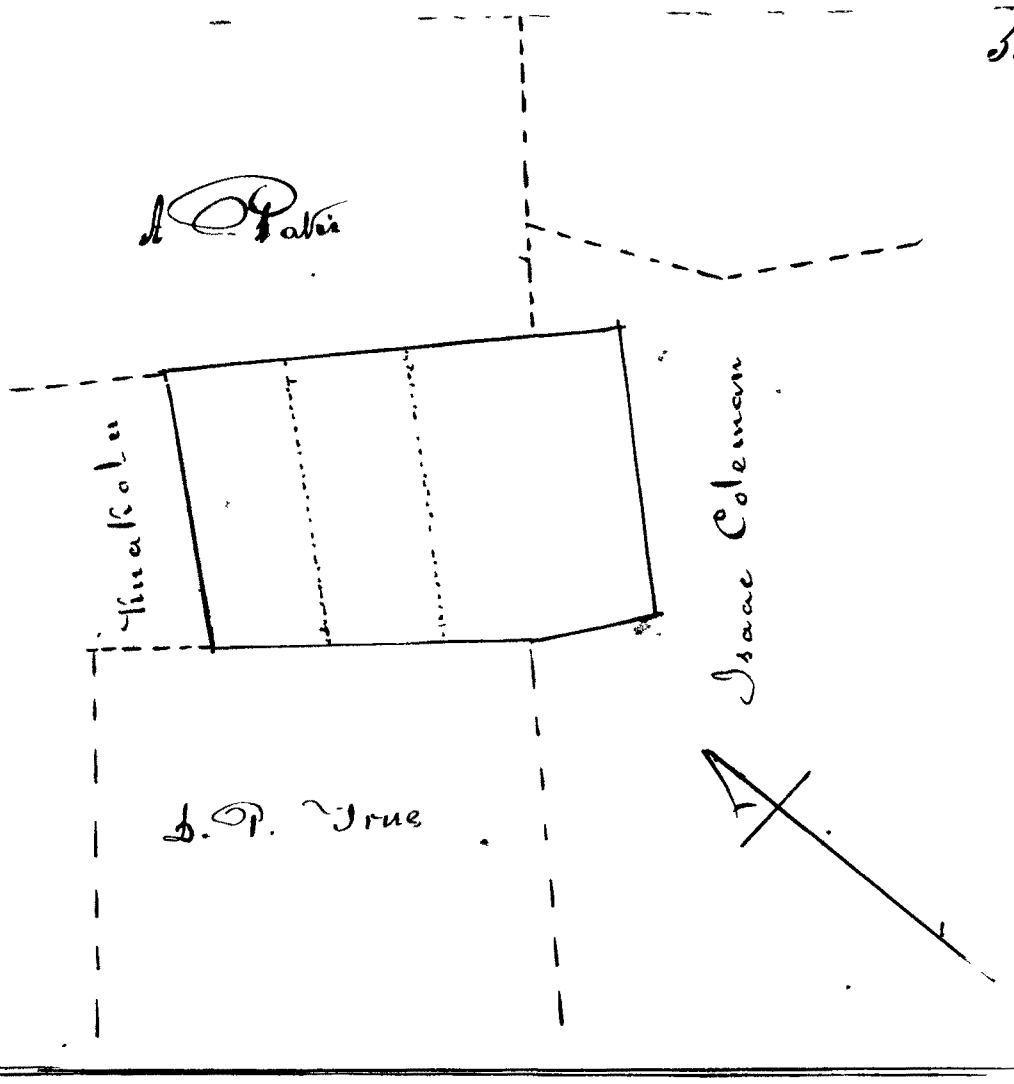
The correct Metes and Bounds are set forth in the following Survey-

"Survey of Wm Bells house lot in Kaumakapili- Honolulu"

"Commencing at point in D. P. True's mauka wall of House lot 19 2/12 Ft. from his N. Corner- being the W. Corner of this, and running S. 47° 30' E. 55 3/12 Ft. along to E. Corner of D. True's house lot- angle- Thence S. 55- E. 20 1/2 Ft along Isaac Colemans lot to makai S. Corner of this thence N. 39° 15' E. 52 8/12 Ft. along Isaac Colemans lot to E. corner of this- thence N. 51° W. 1 Ch. 12 10/12 Ft. along I. Colemans and A Pakis's lots to N. corner of this. thence S. 36° 45' W. 50 10/12 Ft. along Kuakolu's premises to Place of Commencement- Including an area of 113 Fathoms 21 Ft.

Jan'y 13. 1843.

J. Metcalf Sur.



Costs.

To Adjudication of Cl. No 1177. William Bell. $1.

To Incidental Expenses. 1

Action of Boards on 13 Decr 1818 1

Citation 50 cts dr. deposition of Claim'd. f. 2 - $1 1 50

draft testimony Reduced and Engd. f3 2 25

Survey of T. Metcalf 5

Engrossg. Survey f3 1 50

Report of Commissioners this day rendered on the above Claim 5

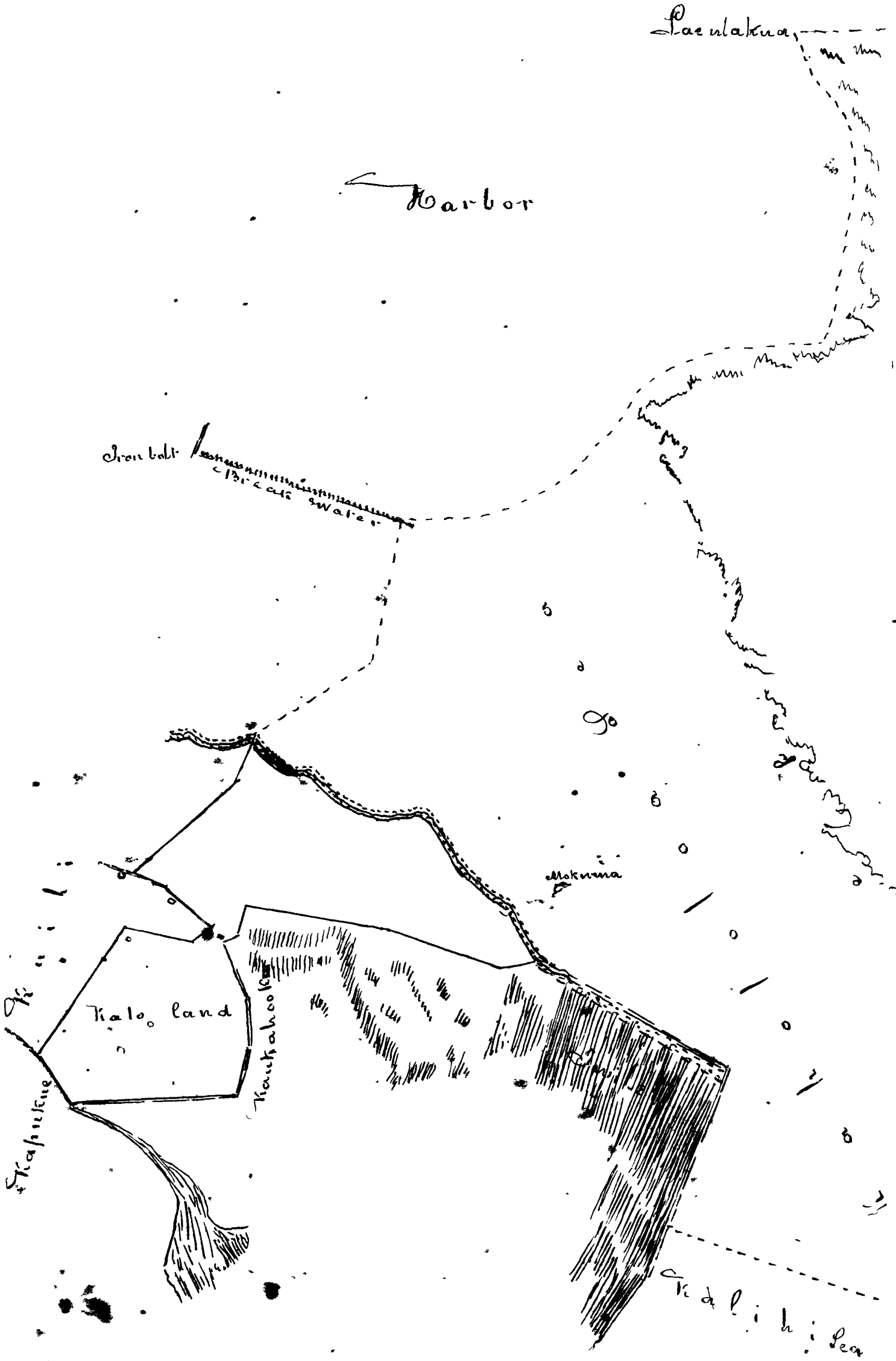
William L. Lee
I. H. Smith
Wm. Kearney
S. M. Hamtramck
Lownds

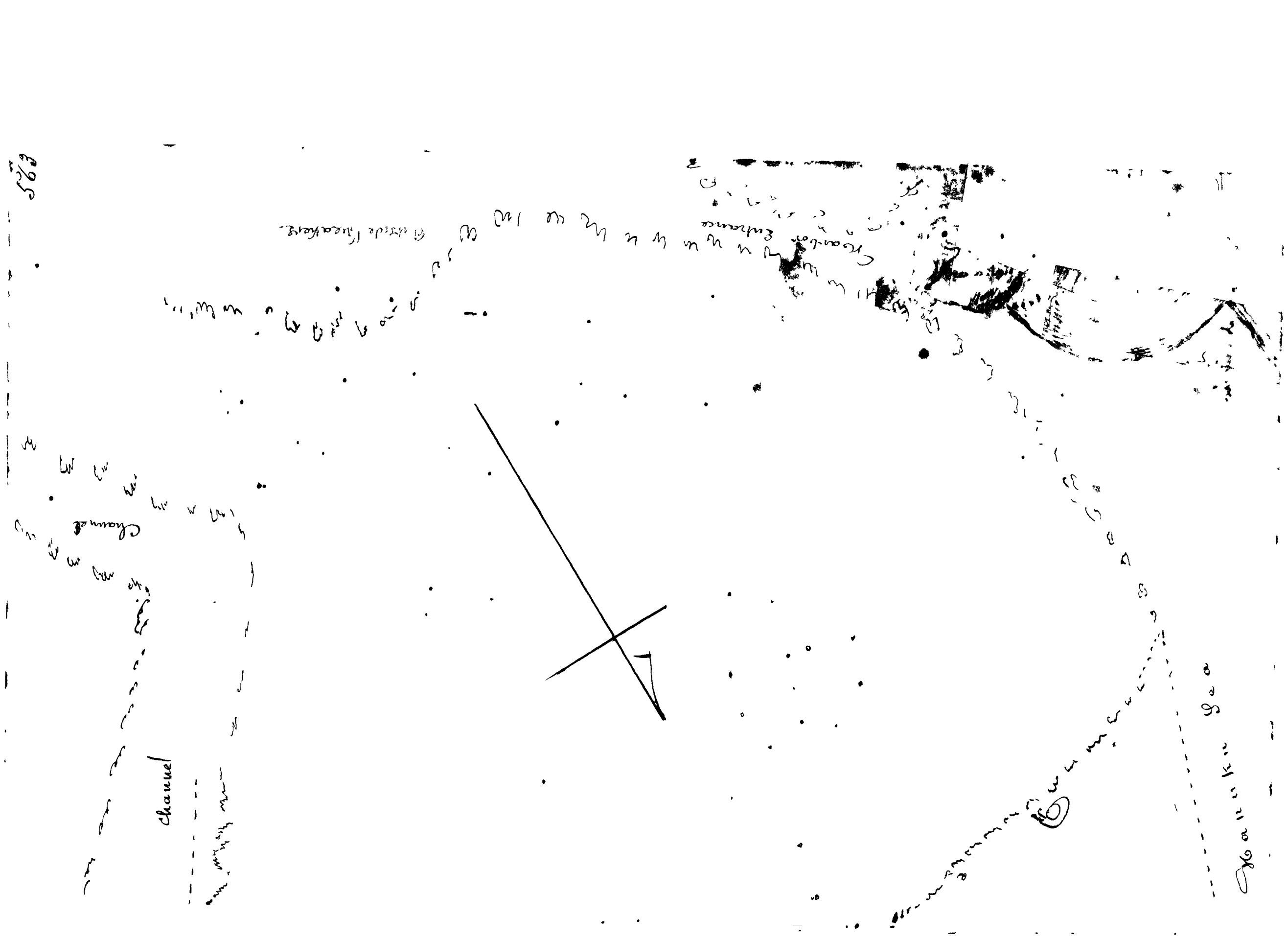
Hale Hancocks
26 February 1819.

1 25

562

Claim № 153. W.m Sumner. Continued from Page 501.





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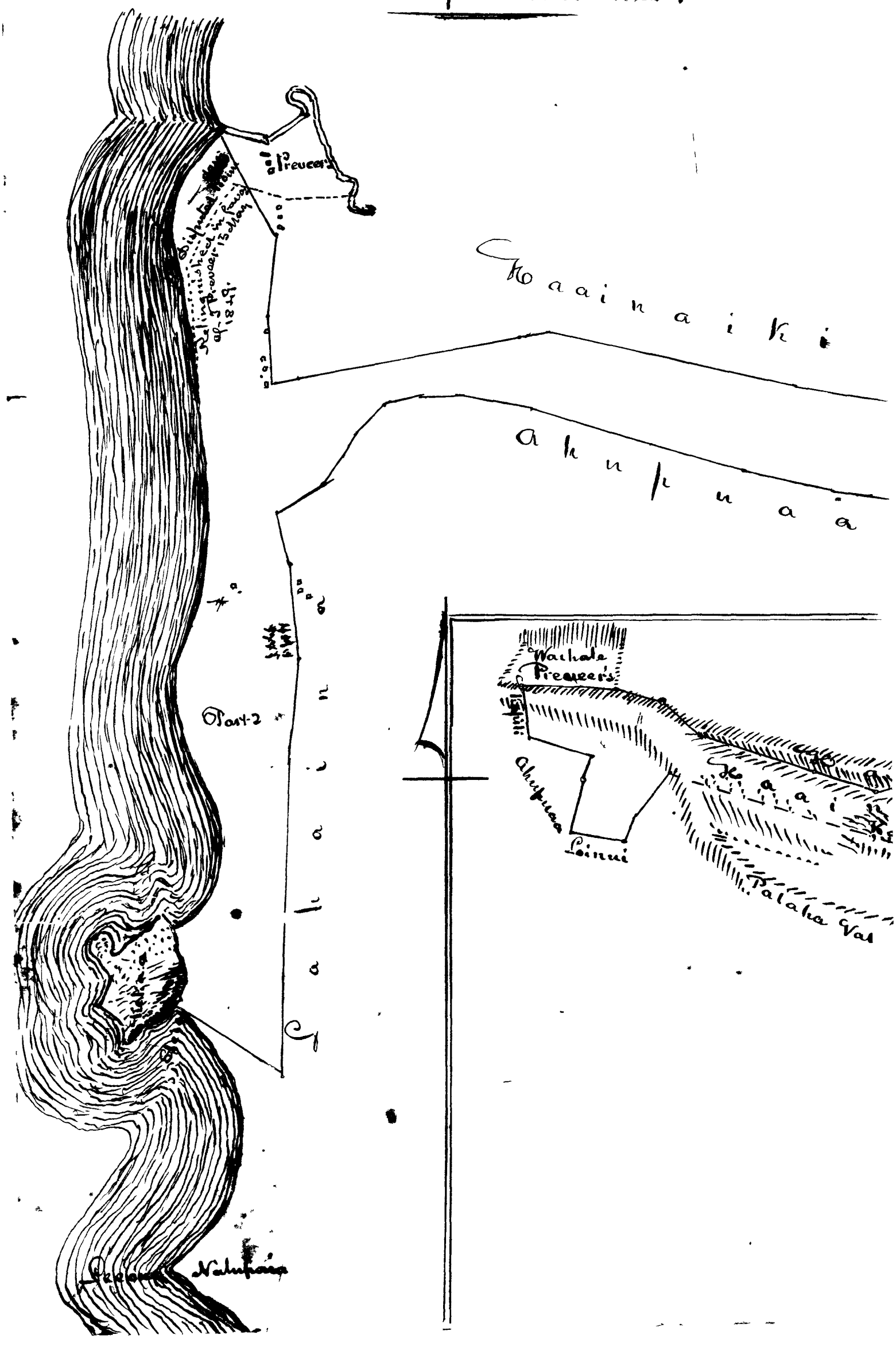
Continued from Page 230

Claim № 76 William Shaw.



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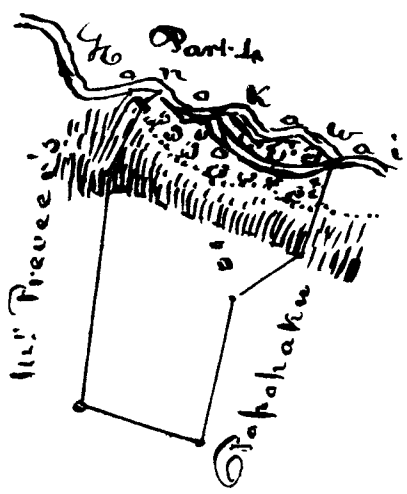
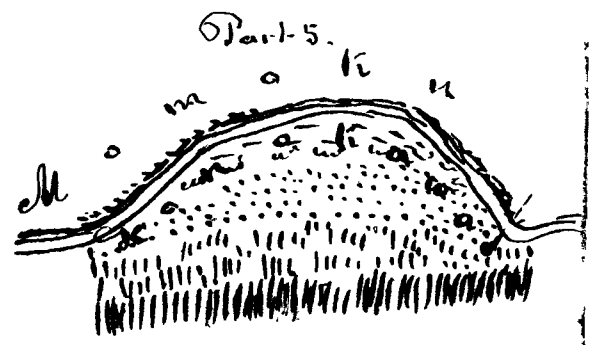
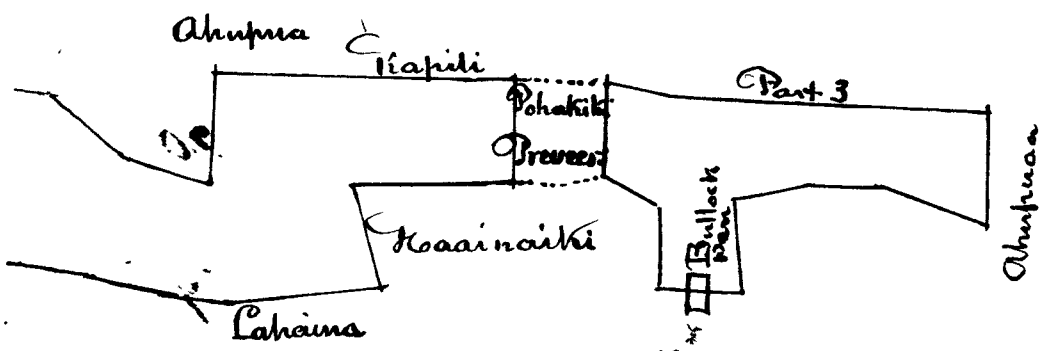
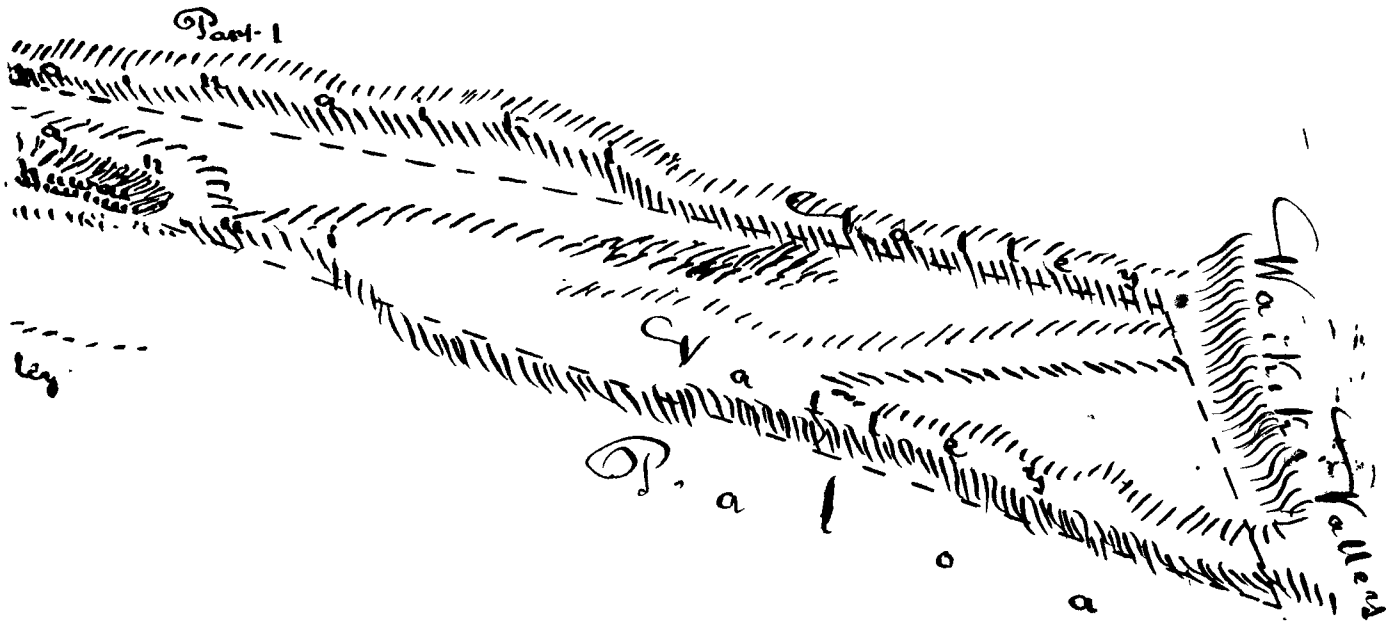

Part-4
Pohakea


Part-5.


Ahupua
Part 3
Pohakiki
Preuvee
Kaainaiki
Lahaina
Ahupuaa


Part-1

566

Board of Commissioners for Land Claims
Adjudication of Cl. No 76 William Shaw — Dr.

To Incidental Expences of Commission &c		1
Action of Commission on 21 Dec 1846		1
Citation 50 Cts dt. depos of Cl. rcd & f3. 50		2
dt. testimony rcd & Engd 21 Dec.	£1	75
Engrossg Copy of J. Metcalfs Survey s of the Lands included in this Claim being 6 in number	£2	12
do — do Combined map	£6	3
Report of Commissioners this day rendered in the above Claim Consisting of 1 Seperate Claims to land		20
		39 75
Deduction of $3 in each Report on Second ~~Third & Fourth~~ Claims - 9		9
Hale Kauwila	William L Lee	$ 30 75

Honolulu March 5. 1849 I. H. Smith
Js. Kaunuai
S.M. Kamakau
Loanuli

Claim N°. 962 Joaquin Armas.

Part 1

This is a claim for a lot, Situated in Lahaina Island of Maui; and generally known as the "Hospital Place"

From the evidence submitted to the Board in this claim, it appears, that this land was given to the Claimant in the Year 1836 or 1837 by his Majesty Kamehameha 3, and that the Claimant has had quiet possession of the same ever since. His Majesty the Chief Witness of the Claimant states, that he gave this place to Armas, as stated by the Claimant:- not in fee-simple, but to hold during his life.

We do therefore Award to Joaquin Armas, a freehold Estate less than allodial, or in other words, a life estate in said hospital place; which freehold or life estate, he may Commute for a fee-simple title, as prescribed by law. The correct bounds of this lot are contained in the following Survey made by J. Metcalf Esquire on 25th December 1846.

Part 2

This is a claim for a Kalo land situated in Lahaina-lalo, Island of Maui, known by the general appel-lation of Moanui.

The Claimants title to this land is the same as his title to part 1 of N°. 962. It is proved that this land has been in the quiet possession of the Claimant ever since the Year 1837. and We do therefore award to the Claim-ant, Joaquin Armas, a freehold Estate less than allodial; or in other words, a life Estate in said land; which he may Commute for a fee-simple title as prescribed by law. The correct metes and bounds of this land are contained in the following Survey, made by J. Metcalf Esq.r 25th December 1846

Part 3.

This is a claim to a Kalo land, situated in Kanaha Valley

district of Lahaina, Island of Maui:
The Claimant has shewn to the Board, that he has had quiet possession of this land ever since the Year 1837. and therefore we award to him Joaquim Armas, a Freehold or life Estate in said land; which Freehold or life Estate he may Commute for a fee-simple title, as prescribed by Law.
The correct metes and bounds of this land are set forth in the following Survey, made by S. Metcalf. Esq: on 25th December 1846.

Part I

"Notes of Survey of 3 Lands Called Moanui in Maui" 1st. Capital Place in Lahaina.
Commencing at S. Corner of this lot joining Alanui Aupuni and Wahinepio's lot, and running N. 51° E. 2 Ch. 13 10/12 Ft. along line between this lot and Wahinepio's to jog in Wall. Then offset at right angles to right 6 ft. - Thence N. 51.° 30' E. 3 Ch 8 7/12 Ft. along between this lot and Wahinepio's to Kapulii's lot - Thence N. 30° 15' W. 2 Ch along Kapulii's to Iona Piikoi's premises - thence S. 52° 15' W. 5 Ch 42 3/12 Ft. along between this and Piikoi's to Alanui aupuni - thence S. 42° E. 1 3/4 Ch. along Alanui aupuni to place of Commencement taking in all surrounding walls and Including an area of Acres 1 Fathoms 38.
Dec 25-1846

Part II of Part I

"Notes of Survey of the part of Moanui makai of alanui aupuni belonging to the American hospital Place Lahaina Maui"

Commencing at N Corner of this piece opposite 40½ Ft. of W. Corner of Hospital place and in line with N.W. side of H. place and running S. 50° 30' W. 2½ Ch. along between this lot and Napela's (or J. Piikoi's) leaving 7 Ft. for alley between this and Napela's to Sea, Low water mark. - Then along Sea 1 Ch. 8 Ft. to Kaiihekai's boundary - thence N. 47° 30' E. 2½ Ch. along boundary between this and Kahiihekai's to alanui aupuni - thence N. 43° W. 57 Ft. along makai side of alanui aupuni to place of Commencement

Including an area of Fathoms 520 - ft 18.
Feb. 15. 1847.

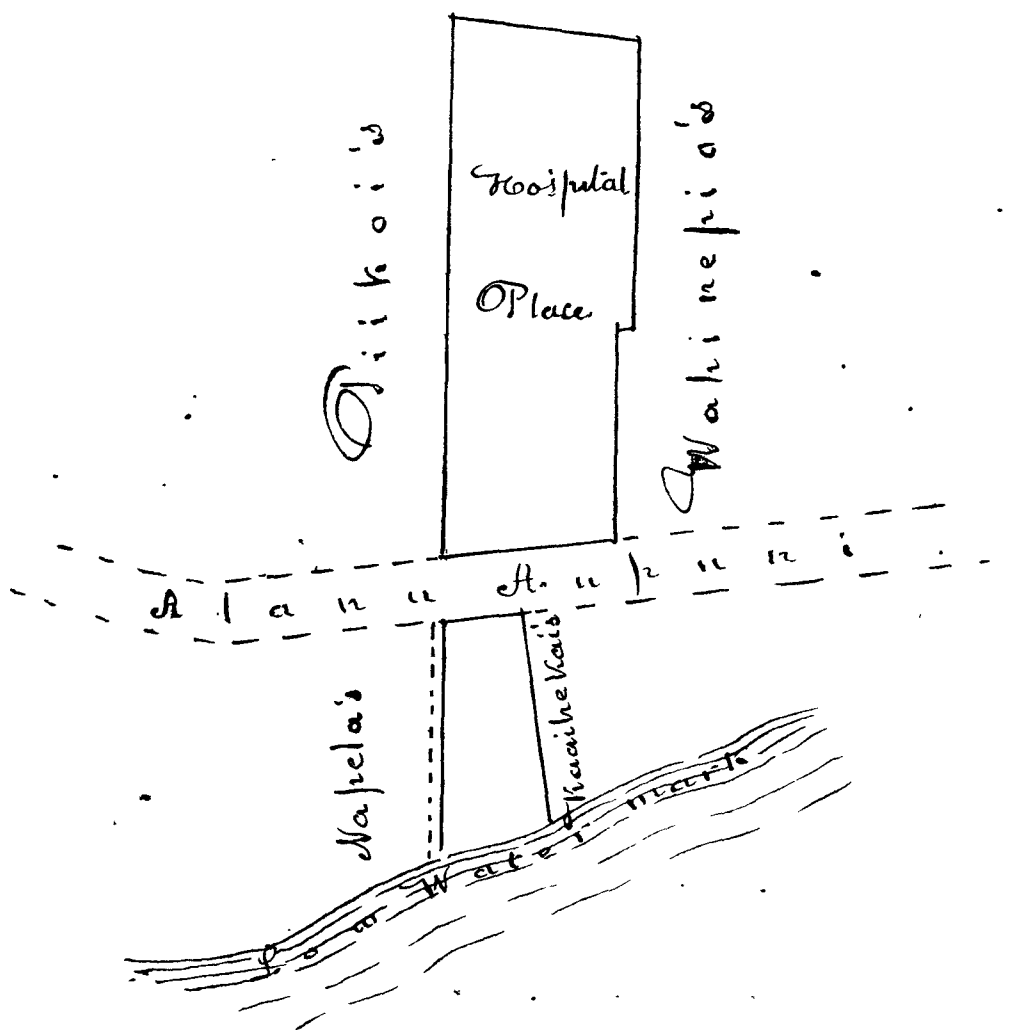
"2nd Kalo land in Mauka part of Lahainaluna"
Commencing at Rock S. corner of Kalopatch, joining Moanui on S. and Aki on W. and running S. 83° E. 54 ft. along Moanui to angle - thence N. 69° E. 60 ft along. along Moanui to angle - thence N. 50° 15. E. 5 ch 9 ½ ft. along Moanui to extreme E. corner of this lot - thence N. 56° 30' 16 ½ ft. to water Race - thence S. 55° W. 2 Ch. 64 ½ ft. along Aki to angle - thence N. 63° W. 59 ½ ft. to angle - thence S. 53° W. 3 Ch. to Rock W. corner of Kalopatch - thence S. 22° 30' E. 40 ½ ft. along Aki to point of Commencement - Includ. an area of
Fathoms 659 Feet 24.

Part III 3rd Kalo land in Kanaha Valley - Commencing at a mauk on large Rock at most S. point of this land near new water Cut and right-hand Pali, and running S. 80° E. 2 Ch. 35 ½ ft. along between this land and Kaia parallel with water Cut to Rock at E. corner of this land - thence N. 8° E. 27 ft. to S. bank of Kanaha River - thence N. 55° W. 3. Ch 6 ½ ft along River to angle - thence N. 63° W. 1 ch. 2 ½ ft. along River to angle - thence S. 77° 30' W. 1 Ch. 36 ½ ft. to W. Corner of this lot joining Wahinepio's - thence S. 19° E. 36 ½ ft. to Corner of Kalopatch - thence N. 87° E. 1 Ch 10 ½ ft. along Wahinepio's land to angle - thence S. 37° 30' E. 1 Ch. 52 8/12 ft. to place of Commence! Including an area of Fathoms 613 Feet 30.
Dec. 25th 1846

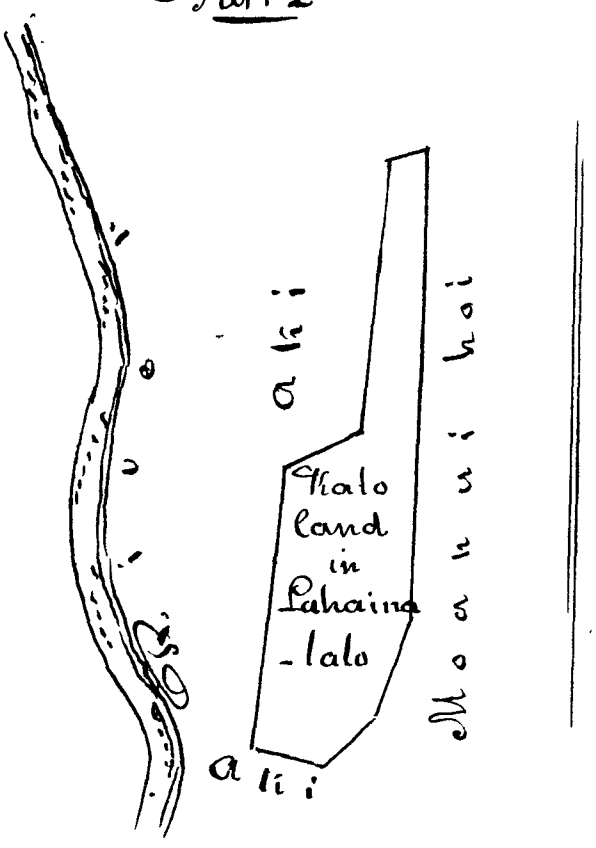
570

Part 1

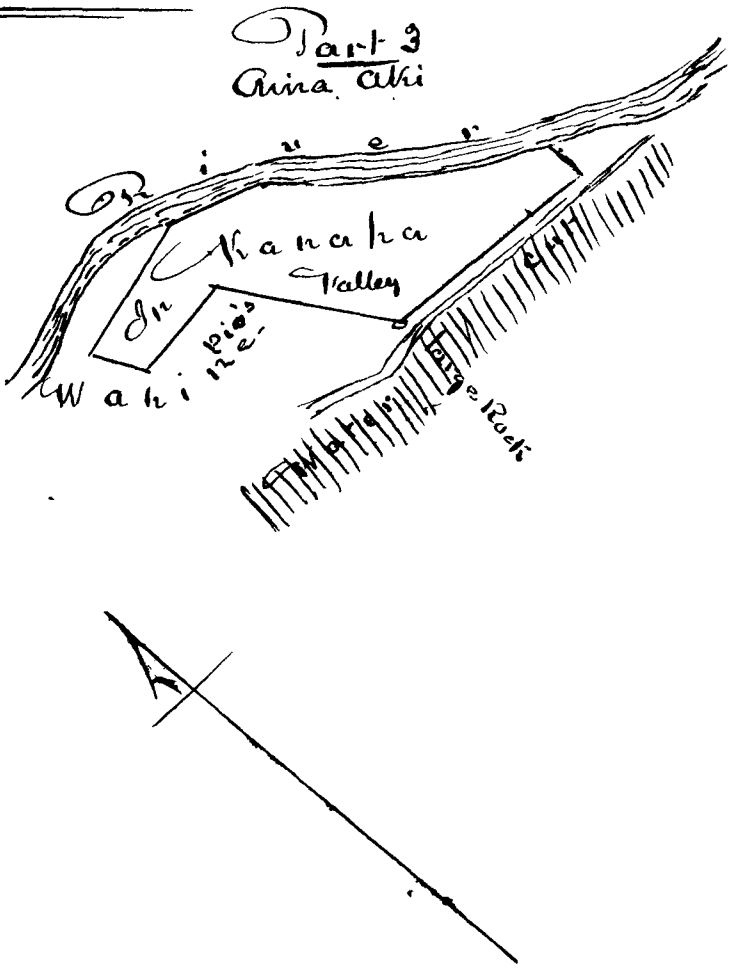
Kapunles



Part 2



Part 3
Aina Aki



5 3/1

Board of Commissioners for Land Claims
Adjudication of Cl. N° 962 Joaquin Armas Jr.

To Incidental expenses & of Commission	1	
Action of Commission on 19th Nov. 1847	1	
Citation 50 cts dr. def. of Claim lea	f2 1	
draft Testimony lea & d eng on 19 Nov.	f3 2	25
Engrossg J. Metcalfs Surveys (3)	f8 4	
Report of Commissioners this day rendered on the above Claim in 3 Parts	15	
	24	25
deduction by direction of Comm. $3 in each Report of Part-2.13-$6	6	
	18	25

Hale Kauwila
Honolulu March 5 1849

William L. Lee
J. H. Smith
Ys. Kaauwai
J. W. Kamokau
Isaac Ii

Cl. N° 1026. Mary Dowsett

This is a claim to a house lot and Premises situated in Honolulu, Island of Oahu.

From the Evidence it appears, that this land is a portion of a lot that was originally given to Alexander Adams, by King Kamehameha 3 in the Year 1845 that Adams occupied the same until the Year 1834, when he sold the same to the Claimant, who has possessed it in peace ever since.

The utmost that the Board has it in their power to Award the Claimant, upon this Evidence, was a Freehold title less than allodial for this land,

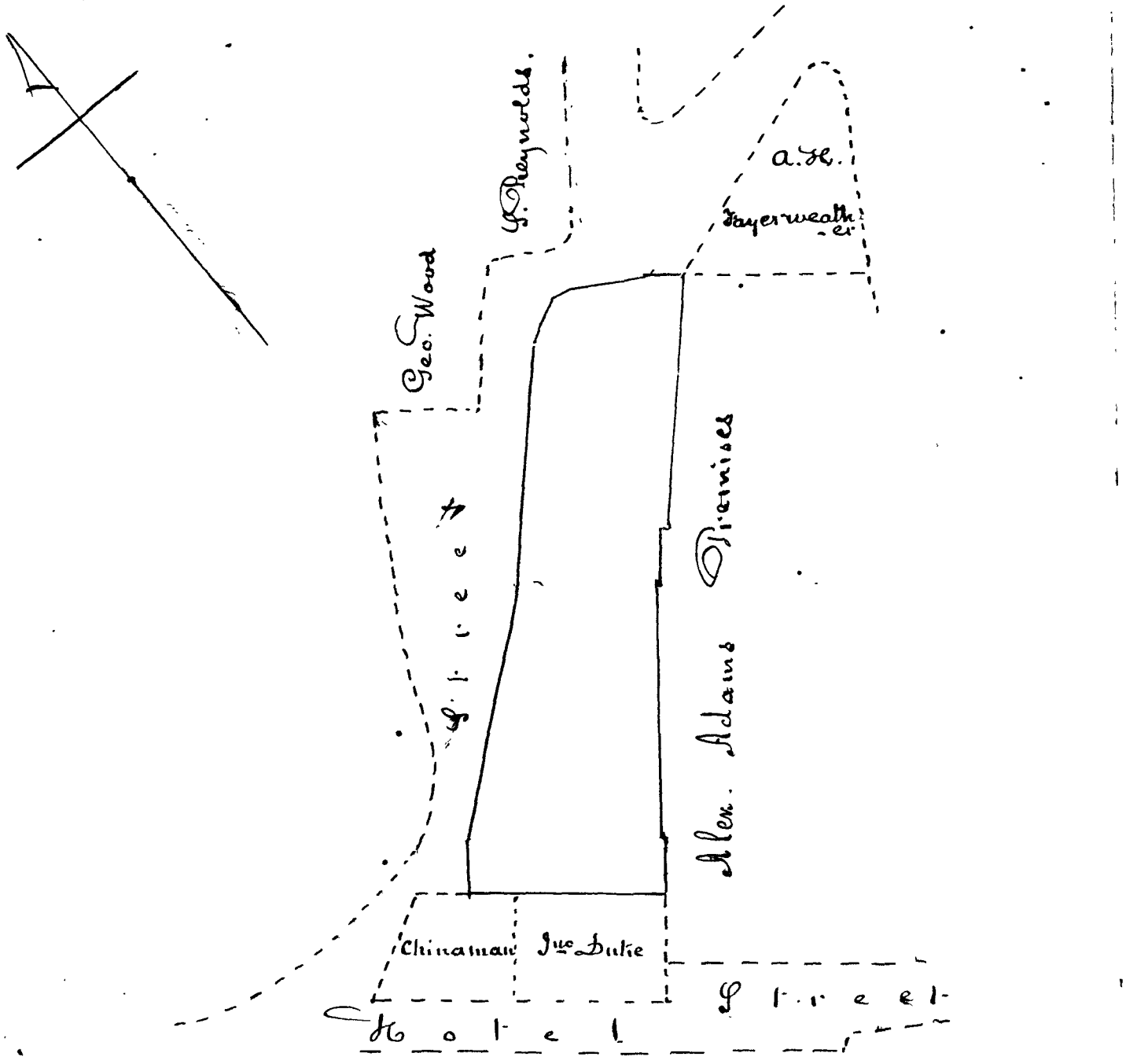
bus having obtained on 23rd day of February 1848 the authority of the King in Privy Council to award a "fee-simple" title to Mary Dawsett and her Hawaiian born heirs, for her house-lot in Honolulu:- We do hereby award to the Claimant the aforesaid fee-simple title to this lot, which is more particularly described in the annexed survey made by S. Metcalf Esq. on the 13th January 1849.

"Survey of Mary Dowsetts dwelling house lot & Premises) Honolulu.

"Commencing at Makai S. Corner of this lot, and old bowling alley, joining Alex. Adams and John Dukes Premises; and running N. 52° 30' W. 1 Ch. 18½ ft. along John Dukes and Chinamans house lot to Makai W. Corner of this and old bowling alley. Thence N. 38° E. 23 9/12 along Street to N. Corner of old bowling alley. Thence N. 47 3/4 E. 1 Ch. 18 10/12 ft. along Street to W. Corner of Hotel house. Thence N. 44° E. 1 Ch. 46 10/12 ft. along street to bend of wall. N. 61° 45' E. 18½ ft. Thence S. 77° 15' E. 11 2/12 ft. Thence S. 64° 45' E 29 4/12 ft. around bend along street to makai W. corner of A. H. Jayertweathers house lot. Thence S. 51° E 16 10/12 ft. along A H Jayertweathers lot to Alex. Adams Premises. the mauka E. Corner of this lot. Thence S. 41° W. 1 Ch. 49 10/12 ft. along A. Adams lot to jog. Then offset right angles to right 3 1/12 ft. Thence S. 42° 30' W. 22 11/12 ft. to Corner of Cook house. jog. Then offset 2 ft. to right. Thence S. 38 W. 1 Ch. 26 10/12 ft. to old bowling alley. Then offset 2 ft left to East Corner of Bowling alley. Thence S. 38° 30' W. 32 1/12 ft. always along A. Adams Premises to Place of Commencement. Including an area of

Fathoms 525½

Jan: 13. 1849. J Metcalf Sor



Costs - Adjudication of Ce. N° 1026 Mary Bowsett - $

To Incidental Expences & 1 - Action of Com". on 7 Feb: 1849.		1	2
Citation of A Adams - 50 Cts & depos" of Claim reduced	$3	1	50
Testimony Red[d] & eng[d] on 7[th] February 1849.	$2	1	50
Survey of T. Metcalf of this lot & 5. Engross[d] the same	$6-3	8	
Report of Commissioners this day Rendered on above Claim		5	
			18

Hale Kauwiloa
1st March 1849.

William L. Lee
J. H. Smith
Z. Kaauwai
S. M. Shamokau
Lonuea

5.71

C. N° 1723 B. John Neddles Part 1.

This is a claim for a house lot and Premises situated in Palauma - Island of Oahu -

From the Evidence, it appears that this land was given to the Claimant by H. M. Kamehameha III A. D. 1832; and that he has had peaceable possession of the same from that time down to the present. The Claimants title is made clear by the Evidence; and We do hereby award to John Neddles, a freehold Estate, less than allodial: or in other words, a life Estate in said House lot; which freehold estate less than allodial, he may Commute for a title in fee-simple as prescribed by Law.

The correct bounds of this lot are contained in the following Survey of T. Metcalf made on 11th of March A. D. 1847.

Part 2

This is a claim for a piece of Kalo Grounds, Called "Olani" situated in Palauma, Island of Oahu.

The Claimants title to this land is precisely the same as in Part 1 of this claim; and We do hereby award to John Neddles a freehold Estate less than allodial in said lot; which he may Commute for a fee-simple title as prescribed by law.

"Notes of Survey of two pieces of land in Palauma Oahu:- one called "Pulehu" and the 2nd "Olani."

" "1st Pulehu"

"Commencing at Stake at E. Corner of this land by Koolilioamanus makai wall; joining Ainapuaa, on Mauka; and Kawaiiki on E. or Honolulu side; and running S. 12° 30' W. 1 1/2 Ch. along between this land and Kawaiiki to Stake. Thence S. 14° 15' E. 1 Ch. 19 4/12 Lks along Kawaiiki to stake joining land called Keonaula - thence S 56° 30' W. 3 Ch. 9 3/12 Lks. along through prickley pear bushes: the boundary

the Boundary line between this and Keoneula to stake between mauka corner of Kalo Patches - thence S. 59° W. 1 Ch. 52 7/12 L. along between Kalo patches to stake at Kawaiiki - thence N. 38° W. 1 Ch. 59 5/12 L. along Ridge between Kalo patches to slight angle - thence N. 28° W. 1 Ch. 10 7/12 L. along ridge between this land and Wainaue to stake at makai W. Corner of this land - thence N. 52° E. 2 Ch. 14 1/2 L. along Kalo Ridge between this land and Kupukolei to Rock - by edge of low ground - thence N. 12° W. 1 3/2 Ch. along near Coral pali to Coral rock marked × at makai end of prickley pear fence - (pa-pipi) thence N. 66° E. 3 Ch. 10 7/12 L. along prickley pear fence - the boundary line between this land and Kupukolei to W. corner of Kobiliamanu's Stone wall - thence S. 41° 30' E. 2 Ch. 22 4/12 L. along wall to place of Commencement - Including an area of Acres 2 - Fathoms 152 feet 28.

2nd Olani

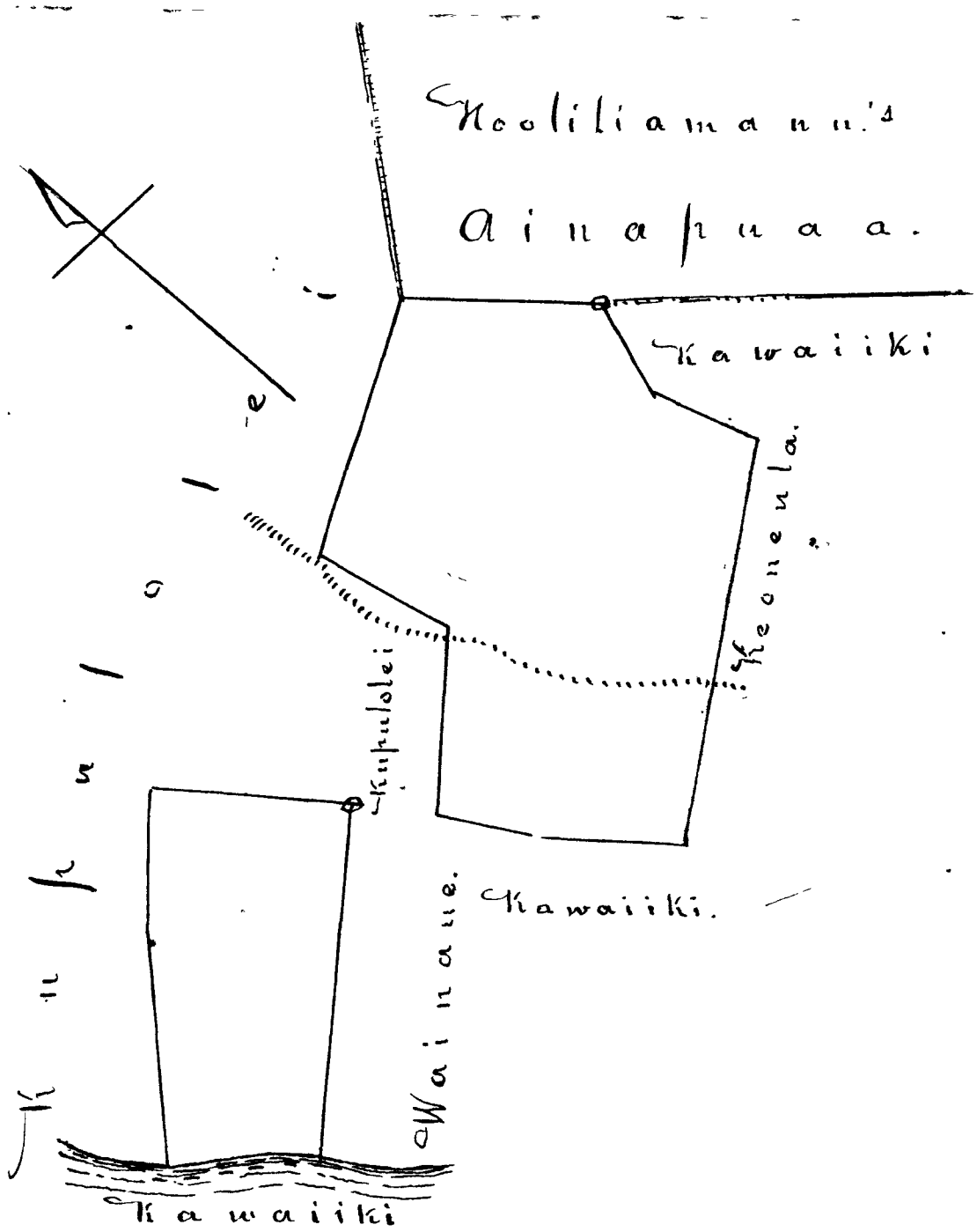
"Commencing at E. Corner, 1 Ch. in a direction N. 39° W from makai W. corner of preceeding survey (Pulehu) at Corner of Kalo patches joining Kupukolei on Mauka side, and Wainaui on Honolulu side, and Running S. 53° 15' W. 4 Ch. 13 L. along Wainaui to middle of Stream on makai side of this land, dividing it from Kawaiiki - thence N. 45° 30' W. along middle of Stream to W. Corner of this land joining Kupukolei Thence N. 44° 30' E. 2 Ch. 38 L. along Kalo Ridge to slight angle - thence N. 49° E. 1 Ch. 51 1/2 L. to N. Corner of this land - thence S. 33° 30 E. 2 Ch. 25 8/12 L. along Kalo patch ridge to place of Commencement - Including an area of ~~Fathoms~~ 1192 - feet 23

March 12 - 1847. J. Mel calf

2. 1644 - 51
1210
3. 434 - 81

See diagrams next Page

5½6



Costs - Adjudication of Claims N° 1723 B John Neddles &c

To Incidental Expences & action of Comm" 21 Feb" 1849		2	
Citation 50 Cts & dr. deposition of C. f 2 -	$1	1	50
draft testimony reduced & Eng.d on 21st Feb.	f2	1	50
Engrossd Copy of Survey by J. Metcalf	f6	3	
Report of Commissioners this day rendered on Claim N° 1723.B - Part I - $5 - on Part II $2 -		7	
		15	

William L. Lee
S. H. Smith
B. Kaauwai
J. M. Kamakau
Loomis

Hale Kauwila
1 March 1849.

C. N°2669. Thomas Gandall.

This is a Claim for a piece of Land situated at Kaua-Kahoku- Nuuanu Valley, Island of Oahu.

The Claimant in support of his Claim, has offered in Evidence the following Lease from K. E. M Kekuanaoa Governor of Oahu, to which Lease is annexed the assent of H. M. Kamehameha III and the late Premier Kekauluohi.

"I. Mathew Kekuanaoa hereby lease a certain piece of Land up at Kaukahoku; adjoining the Land leased by Charles Brewer, and bounded as follows; "Commencing at the point on the South Corner of the Fence of C. Brewers Land, and running N. Easterly ten chains in length; thence turning and running Northerly to the fence of D. Rootes Land seven chains and twelve feet in breadth; then turning and running Westerly, fourteen chains and fifty four feet in length; then turning, and running S. Easterly, two chains in breadth to the Corner where the measurement began: which are the boundaries of the said Land"

Said Land is transferred to Thomas Gandall a British foreigner, as a dwelling place for himself, his heirs, and assigns, with protection, for the term of twenty five Years from the date hereof:- but he shall not manufacture ardent Spirits, nor sell them, on said Land; and shall pay annually to Kekuanaoa his heirs or assigns, twenty five dollars, as rent for said Land; and when the above-mentioned term of Years is expired, he shall restore the Land and houses on it, and all that is Connected with the Land to Kekuanaoa, his heirs or assigns, the owners of the Land. (But if there be a durable house, or a Stone one, it shall be theirs; and they may take it away and sell it to whoever wishes to buy it.)

In testimony whereof we bind ourselves and our heirs and assigns to the fulfilment of the same, and Subscribe our names this 20th day of December A.D. 184 at Honolulu Oahu

578

Hawaiian Islands — Thomas Gandall
Witness Paalua — M. Kekuanaoa.

We approve of the preceding agreement.
Kamehameha III
Kekauluohi "

"Honolulu Oahu - S. I. I Thomas Gandall have this day (January 18 - 1844.) sold and transferred to C. Brewer & Co a certain portion of the land mentioned in above Lease - as described in the Instrument given them dated Jan 18th 1844
Thos Gandall."

The above Lease makes the claim of Mr Gandall clear beyond dispute; and we do hereby confirm the same, and award the Land to Thomas Gandall, his heirs & Assigns upon the terms and Conditions Contained in the aforesaid Lease.

By an indorsement made on the Lease - it appears that the Claimant has transferred a portion of this Land by an Instrument bearing date January 18 - 1844 to C Brewer & Co which transfer Cannot be affected by this Award

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Costs. Adjudication of Cl. No 2669. Thomas Gandall Dr.

To Incidental Expenses & Action on 1 March 1849	$1	2
Engrossing Copy of conveyance & deposition of Claim	$6	3
Report of Commissioners this day Rendered on the above Claim		5
		10

W. L. Lee
Kalo Kauwila — D. H. Smith
1 March 1849. — Us. Kuamuai
S. M. Kamakau
Granted

Claim N° 816 A. H. Jayerweather

This is a House lot claim, situated in Honolulu Island of Oahu, and now occupied by John Robson.

The Claimants title to this lot is perfectly clear; it having been shewn to the Board that the land was given to him at a period long anterior to 1839; and that he has improved, built upon, and possessed the same in peace, from the date of the Gift until the present time.

We do therefore award to the Claimant A. H. Jayerweather, a freehold title less than allodial, or in other words, a life estate in said lot; which freehold or life estate the Claimant may Commute for a fee-simple title as prescribed by Law. The correct bounds of this lot are contained in the annexed Survey, made by J. Metcalf Esq: on 30th December 1847.

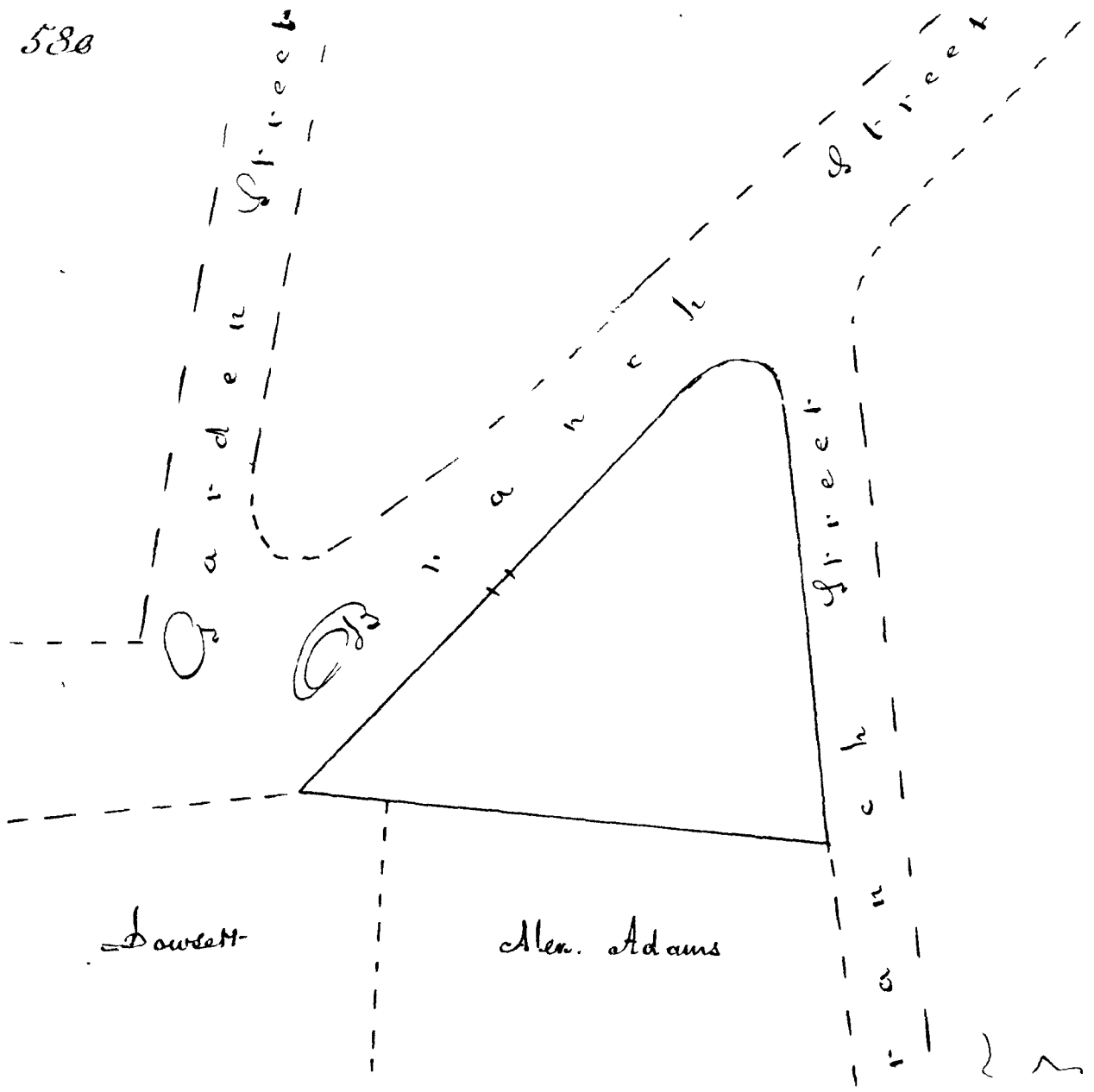
"Survey of House lot in Nahuina, Honolulu Oahu

"Commencing at Makai S. Corner of this lot on N.W. side of Branch St. joining A. Adams premises on Makai; and Running N. 28°. 30' E. 1 Ch. 29 8/12 Lks. along Branch St. to Mauka E. corner of this lot. Thence N. 29°. 30' W. 13 4/12 Lks. to Mauka N Corner (land) of this lot. Thence S. 78°. 15' W. 1 Ch. 57 Lks. along Branch Street. The N. W. boundary of this lot to makai W. corner at Mr. Dowsetts dwelling house lot. Thence S. 49°. 30' E. 1 Ch. 42 3/12 Lks. along Mr. Dowsetts and Alex. Adams lots to place of Commence. Including an area of Fathoms 164. feet 7.

Dec. 30. 1847. J. Metcalf

See diagram and Survey next Page.

586



61

Costs. Adjudication of Ct. No 816. A H Fayerweather Jr.

To Incidental Expenses & Attendance of Com^{r} on 19 June 1848		2	
Citation $ 50 - Draft-deposition of Cl. reduced $ 50		1	
do. testimony read^{d} and Eng^{d} 19 June	$ 2	1	50
Engrossing Copy of Survey by J. Metcalf	$ 4	2	
Report of Commissioners on the above claim this day rendered		5	
		11	50

William L. Lee
J. Smith
Z. Kaauwai
S. M. Kamakau
Joane Le

Mate Kauleila
Honolulu March 1 - 1849

L. 1975 Patt. R. W. Wood

This is a Claim for a piece of Land situated in Honolulu, Island of Oahu, forming the Mauka portion of the Enclosure now known as Robert W. Woods dwelling house Lot. From the Evidence submitted to the Board, it appears that the Claimant purchased this land from a Chinaman, of the name of Aiyong in the Summer of 1847: that Aiyong obtained this land from a native, named Aniani some ten or twelve Years since, and held peaceable possession of the same, up to the time of his selling it to the Claimant.

This Evidence renders the Claimants title clear beyond dispute; and we do hereby Award to Robert W. Wood, a Fee-hold Estate less than allodium in this Lot, which Fee hold Estate he may Convert for an estate in Fee-simple, as prescribed by law.

The correct bounds of this land are contained in the following Survey made by D. Metcalf Esq. Surveyor 1847

"Notes of survey of Mauka part of place (Chinaman) in Aigupite Honolulu."

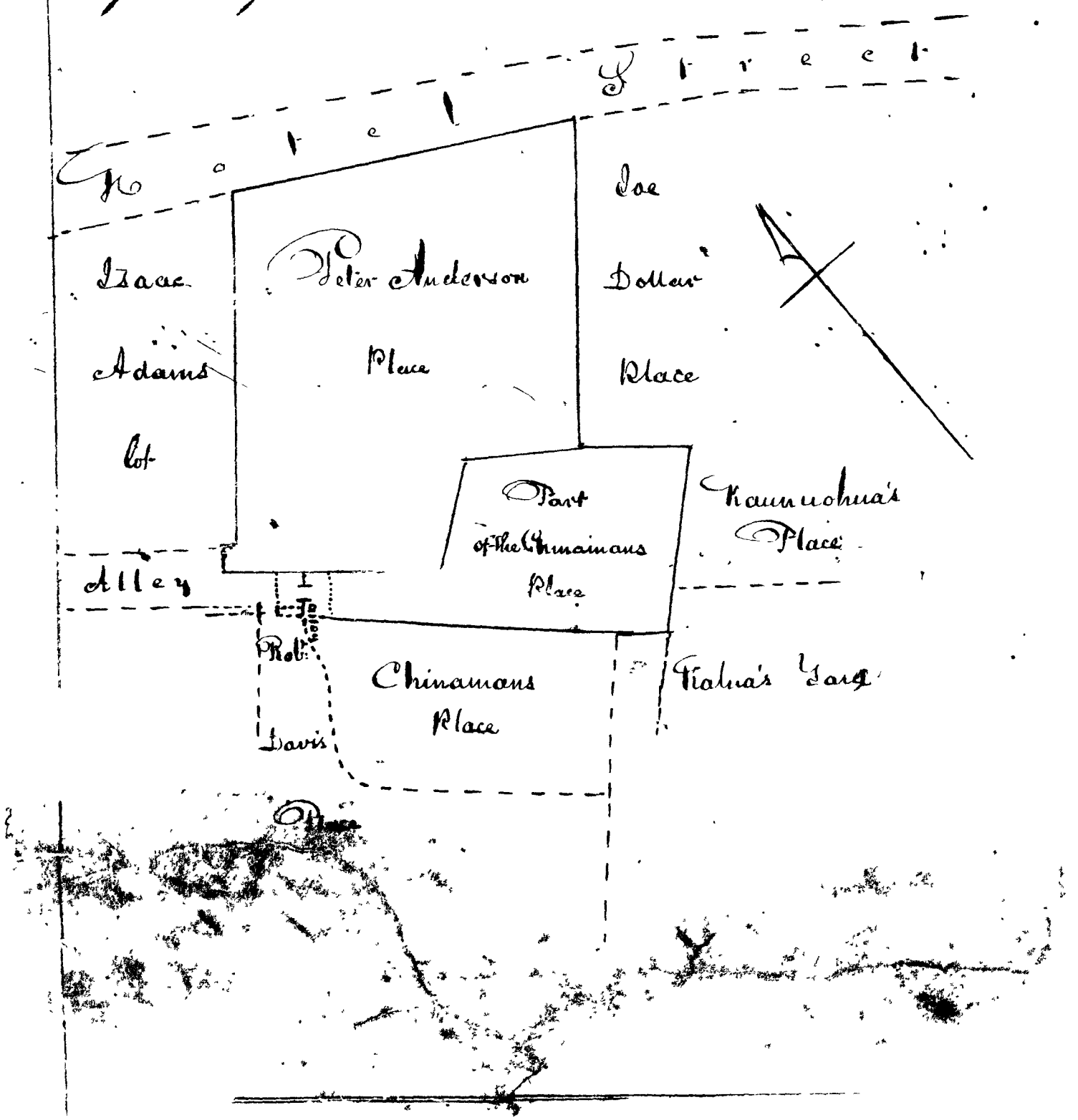
"Commencing at extreme E. Corner of this place, the Joe dollar" (J Bedfords) place on Mauka Kaumuohua's house lot on S. E. of this, and running N. 51° 30 W. 36 ft. along Joe dollar place to Makai of W. Corner of J. D.s Cook House. Thence N. 58° 15' W 37 7/12 ft. along the Peter Anderson's to Corner. Thence S. L. 5 15' W. 37 7/12 ft. along P. Anderson place to Corner of (whose was) mine. Thence N. 52° 15' W. 1 L. 3/12 ft. along Makai side of P. Anderson place to wall (in said ft.) running to end of alley leading from Rob.t Davis's place line properly extends on W. Ch. taking in 11½ ft. to first Gate post, entering Rob.t Davis's place. Thence S. 38° 15' W. 13 7/12 ft. along wall of the alley to Makai side of wall on Mauka Lot. Thence S. 18° E. 1 Ch. 35 5/7 ft.

side Chinamans place and along wall to a Corner of Kalua's lot- thence S. 50° E. 15 11/12 Ft. along Jog in Kalua's lot to Corner- Thence N 44° 30' E. 60 1/2 Ft. along Kalua's and Kaunuohua's lots to place of Commencement- Including an Ale of

135 Fathoms 28 feet-

Aug 1. 1847.

J. Metcalf Sen:



Continued next Page

Costs - Adjudication of Cl. № 1975 Part 1 - R. W. Wood — $:

To Incidental Expences of Comm"rs		1	
" Action of Com". on 28. Feb. 1849		1	
draft deposition of Claim & Rec.d	$1		50
Citation for att.ce			50
draft-testimony reduced & Engrossed 28 fol.	$3	2	25
Engrossed Copy of T. Metcalfs survey	$5	2	50
Report of Commissioners this day rendered in the above Claim		5	
		12	75

William L. Lee
J. G. Smith
Kaauwai
Com.rs Claims

Hale Kauwila
15 March 1849

Continued from Page 215

Costs - Adjudication of Cl. № 105 - William Walker — $:

To Incidental expences of Commission		1	
Action of Comm" Sep. 10. 1847		1	
Citation for attendance			50
draft. deposition of Claim two entries as Cl. 105 and № 230	$2	1	
dr. testemony reduced & engrossed 10 Sep. 1847	$1		75
Surveys by J. Metcalf (two)		28	
Engrossed same	$12	7	
Report of Commiss.rs this day rendered on the above claim		5	
		44	25

William L. Lee
J. G. Smith
Kaauwai
Com.rs Claims

Honolulu
Hale Kauwila
15 March 1849

Rec.d part pay.t of above $10 fr. Ch. Wagner for Lane of Oil sold by Marshall of H. I.s.d at Auction. J. H. S. Lee.

Commission Deduction — Received for Costs sold to Geo. Lee — 4.25 — 44.25

See Continuation next page in Diagrams

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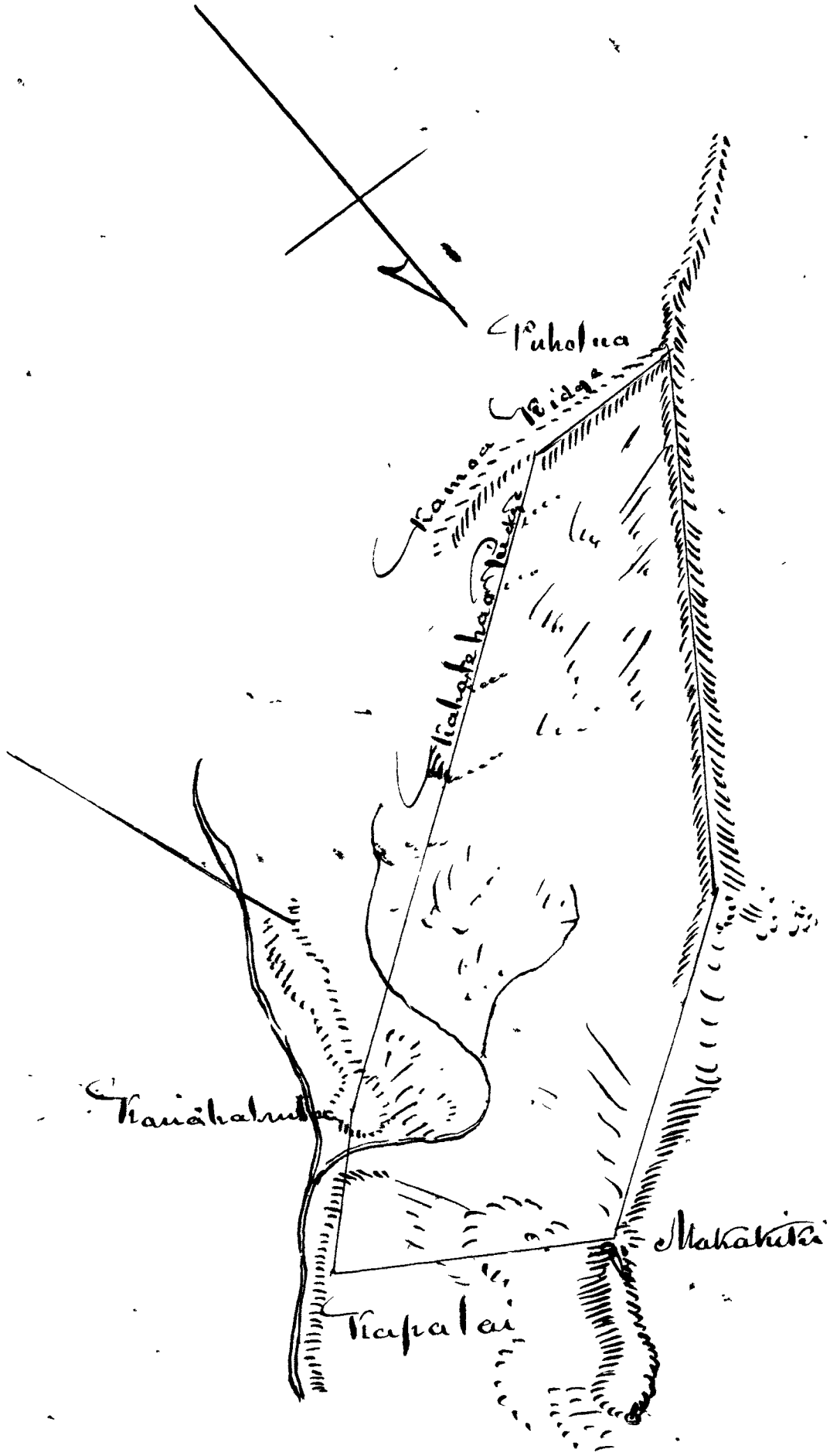
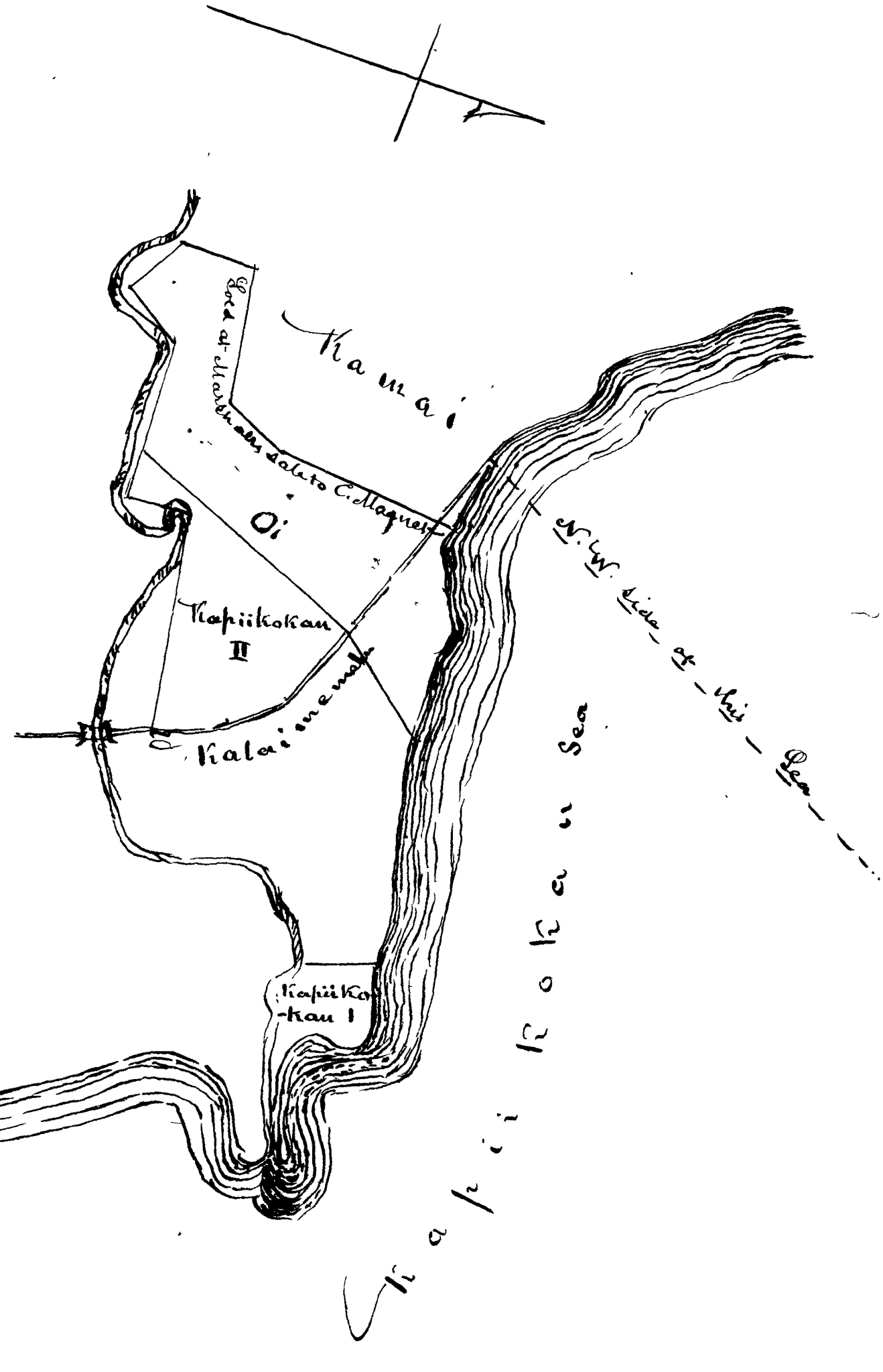
Diagrams in Ce. 105. William Walker



from Page 215



R. N° 113 Robert Read.

This is a claim for a House lot in Lahaina, Island of Maui. From the evidence taken in this claim, it appears that this land was given to the Claimant, Robert Read in the Year 1839. by his Majesty Kamehameha III, and that Read held quiet possession of the same up to the time of his death in the Spring of 1848; Since which time, the same has been in the quiet possession of his only Child Stephen Read.

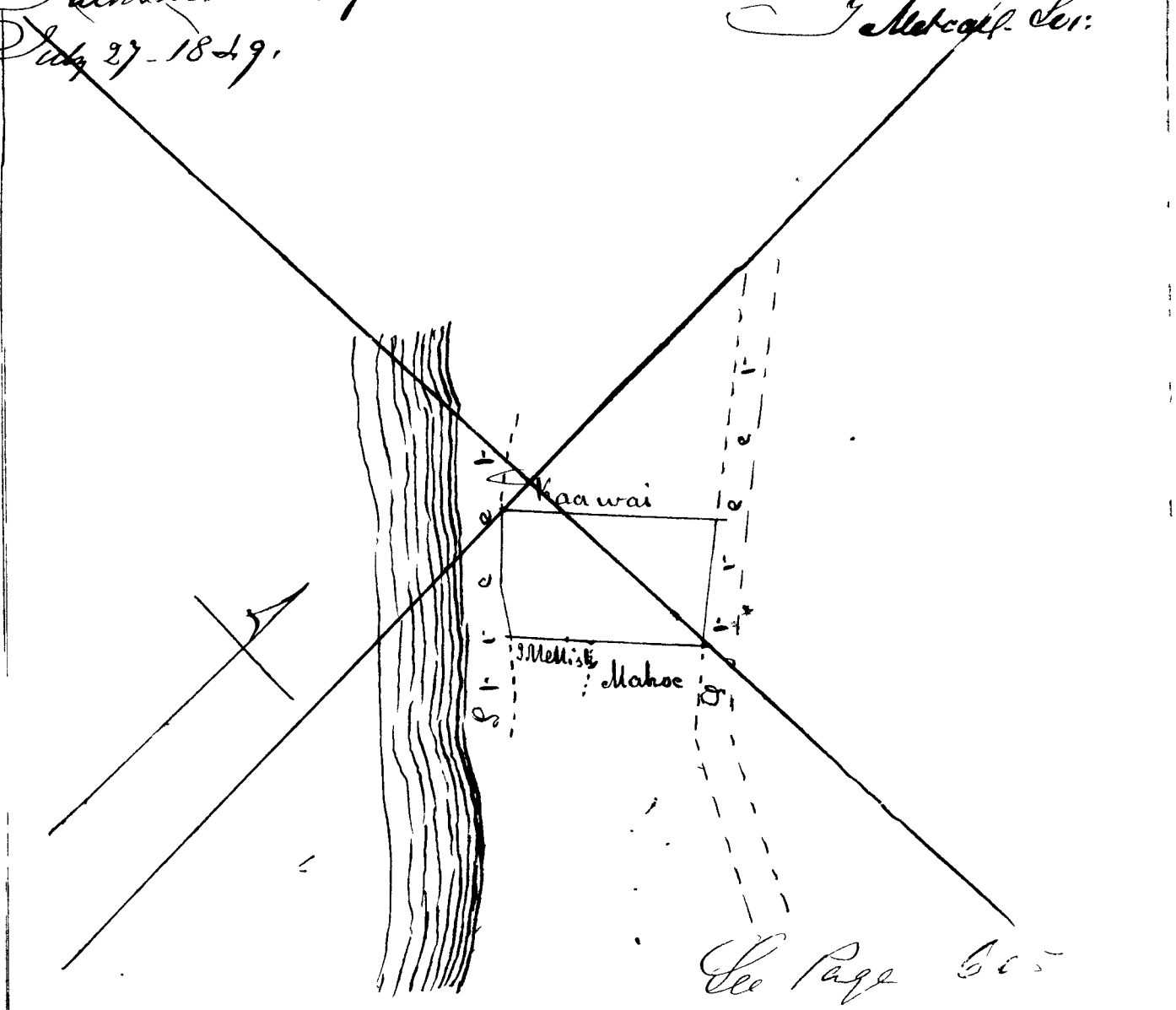
Clearly the Claimant had no more than a fee-hold Estate less than allodial in this lot; which terminated with his life; but there being no counter claim to the lot; and Stephen Read the Son of the Claimant, having been permitted to occupy the same since his Fathers death, without molestation, the Board feel justified in awarding to the aforesaid Child of the Claimant, Stephen Read, a fee hold estate less than allodial; or in other words, a life estate in said lot; which fee hold or life estate he may commute for a fee-simple title as prescribed by Law. The Correct metes & Bounds of this lot are set forth in the following Survey. See Page 605

See New Survey appended in place of this which was an error of the Surveyor in Surveying a wrong lot 3rd Sec. Dec 8th 1851

"Commencing at Makai W Corner of this lot joining Kaauwais lot; and Running S. 56° E. 1 Ch. 3 1/12 ft. along R. by Sea to angle of fence. Thence S. 57° 15' E. 44 7/12 ft along R. to W Corner of lot occupied by Joseph Mellish. Thence N. 12° 45 E. 62 8/12 ft. along J. Mellish lot to Jog in wall. Thence N. 12° E. 1 Ch. 27 1/12 ft. along Mahoes lot to a Stake the E. Corner of this lot. Thence N. 11° W. 1 Ch. 13 2/12 ft along R. to N. Corner of this lot. Thence S. 13° W. 2 Ch. 12 3/12 ft. along Kaauwais lot to place of Com.; including an area of-

Fathoms 508 feet 30
July 27 - 1849.

J. Metcalf Surv:



See Page 588

Costs. Adjudication of Cl. 143 Fishers Through Stephen Reau &c:

To Incidental Expences			1
Action of Com[n]. 27 November 1848			1
Citation 50[cts] Ak. testim[y]. Read[g] Hear[g]		$2	1 50
Survey of Metcalf			6
Engr[g] Same			1
Report of Commissioners this day Rendered on the above Claim			5
			15 50

Wm L. Lee
J. H. Smith
S. Kaaunui
Lowrie

Hale Hoona
15th August 1849

C. N° 325. Michael J Nowlein

This is a claim to a house lot situated in Lahaina Island of Maui.

From the evidence taken in this claim, it appears that this lot was given to John T. Caswell, & Charles Cocket by Hoapiliikane in the Year 1836; and that they occupied it jointly for some time; when Caswell disposed of Interest in the lot to Cocket; that Cocket sold all his rights in this lot to the Claimant on 12 day of May AD 1845 since which time, he has been in the quiet possession of the same.

The Rights of Cocket in this lot are the same as those possessed by any other person receiving land by Gift: namely, a freehold Estate, less than allodial, or life Estate; and whatever Rights Cocket held, are now owned by the Claimant.

We therefore award to Michael J Nowlein a freehold title less than allodial in this lot, which he may Commute for a fee simple title according to law.

The Metes and Bounds of this lot are set forth in the following Survey of W. Alexander.

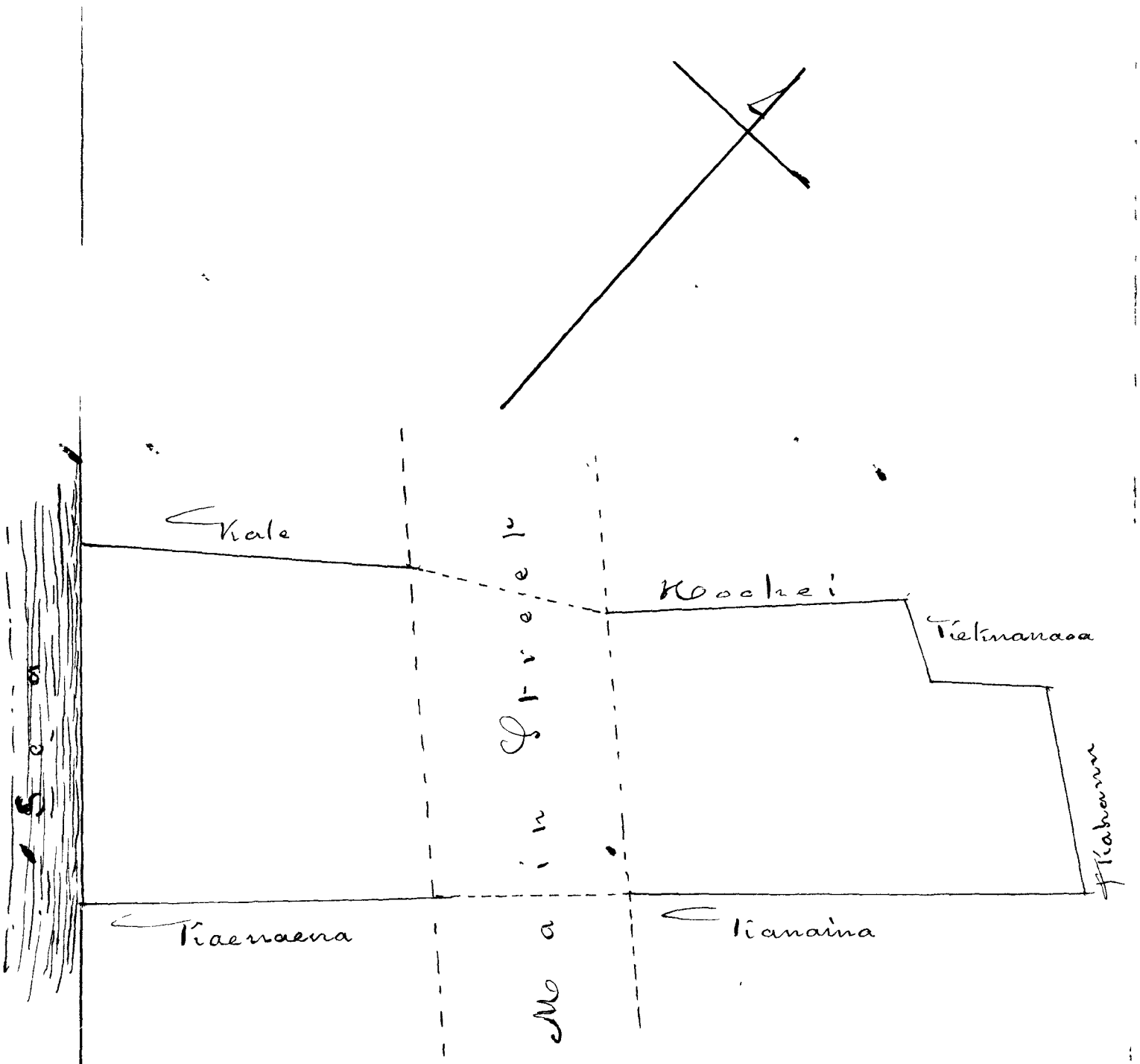
1 Rood less 7½ Poles awarded.

Notes of Survey of a lands situated in the Ahupuaa of Aki, Lahaina, Maui.

"Beginning on mauka side of Main Street adjoing the House of Koohei & running

N. 43° E.	0.86	Chains	along house lot of Koohei
S. 57 E	0.26	"	" loi Kekuanaoa
N 51 E	0.34	"	" "
S 52½ E.	0.59	"	" lot of Kahana
S. 47½ W.	1.26	"	" Kanaina to Street
S. 46 W	0.56	"	across Main Street
S. 46 W	1.06	"	along lot of Kaenaena to sea
N 40½ W	1.02	"	" Sea side
N 50 ¾ E.	0.97	"	" lot of Kale to Street
N 60½ E	0.56	"	across St to Commence.

Containing area of 1 Rood-7 ½ Poles of which area are covered by the Public Street"



Including Costs d/o

Dec 2nd 1851

Wm L. Lee
C. H. Smith
Lorande

590

R. N° 207 John Shaw.

This is a Claim to a house lot situated in Lahaina, Island of Maui.

From the Evidence taken in this Claim, it appears that this lot was given to Claimant by a Native, named Waikia; about the Year 1837; and that Mr Shaw has built upon it; and occupied it ever since.

This Evidence renders the Claimants title perfectly Clear; and We hereby award to John Shaw a Freehold Estate, less than allodial; or in other words, a life Estate, in said lot; which he may Commute for a fee-simple title, as prescribed by law

The Correct bounds of this lot are set forth in the annexed Survey of W. P. Alexander, situated in Papakea, in the Town of Lahaina, on the Island of Maui. Beginning at the West Corner and running

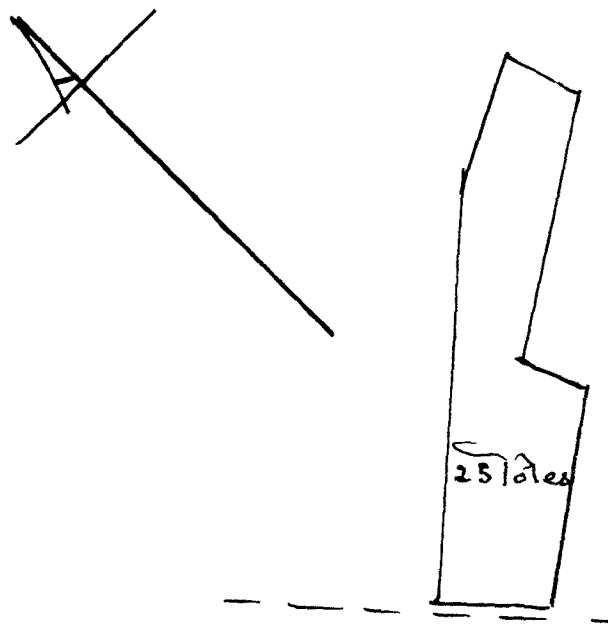
S. 46½ E	0	64	ch	along Main Street
N. 51	"	1	23	"
N. 28¾ W.		38	"	
N. 52 E.		1	50	"
N. 28¼ W.		42	"	
S. 57½ W		72	"	
S. 47 W.	2	25	"	to the beginning

Containing 25 Poles

Surv. 25 1860. W. P. Alexander
Lahaina Luna Sur.

See diagram & Costs next page

591



Costs. Adjudication C. 207 John Shaw. &c

Commission Expenses	10
Engrossing Copy of Survey	1
	11

21 May 1850

Wm. Uter
J. H. Smith
Land Ct

A. N. 209 Stephen Grant.

This is a claim for Two lands called "Pakea" & "Poukea" situated in the district of Koolau, Island of Maui.

From the Evidence received by this Com-mission, it appears, that these two lands were given to the Claimant about the Year 1839 by a minor Chief named Kekiau; as a gift made according to the Custom of the Country when Hoapili was Governor. It further appears that from the day of the Gift to the present time Claimant has occupied these lands, to the present time in undisturbed peace.

There can be no dispute about the title and We do hereby award to Stephen Grant a freehold Estate less than allodial, or life Estate in the aforesaid lands, which he may Commute for a fee-simple title as pres-cribed by law. Reserving all other Rights.

The metes & bounds of these lands are not described in the usual form of Survey - being pronounced by the Surveyor T. Metcalf impract-icable of Survey, & are herein awarded under their designating names of "Pakea" & "Poukea"

Inclusive costs of Commission $12

W. L. Lee
J. K. Smith
Commr.

November 21. 1851

C. № 1888. John O Dominis Claimant in behalf of himself and Mary Dominis his Mother

---

This is a claim for a small lot, one hundred and twenty feet square, situated in the Town of Honolulu, just in the rear of, and adjoining the dwelling house lot of Mary Dominis; known as "Washington Place".

The Board being satisfied from the evidence submitted to them, That John Dominis, his heirs and assigns, are clearly entitled to a leasehold Estate in this lot, for the term of two hundred and ninety nine Years from the fifth day of October in the Year A. D. 1826.

We do therefore Award to the said John Dominis, his heirs and assigns: or in Case he be dead, to Mary Dominis, his Widow; and to John O Dominis his Son and only Child, and to his, her, or their heirs and assigns, the aforesaid lot, to have and to hold the same during the term of 299 Years from the 5th October in the Year of our Lord 1826, free of all rent during the above term: But this Award is upon this express Condition, Contained in the original lease from Karaimoku to Richard Charlton, namely That at the expiration of the aforesaid term of 299 Years the land, with all houses, tenements, buildings and improvements thereon, shall revert to the Sandwich Islands Government, without any Charge or Cost on the same. The Correct bounds of said lot are contained in the following Survey made by T. Metcalf Esq. on 20th day of February 1849.

"Notes of Survey of Mary Dominis"

"120 feet Square lot" "mauka of her present dwelling-House lot- Washington Place."

"Commencing at Mauka N. Corner of Washington place- and running N. 54° 15' E. 120 ft along "Stone house" lot to Stake at N. Corner of this-

596

Thence S. 36° 15' E. 120 ft. to stake 3 2/12 ft. Mauka of present wall - E. corner of this lot - Thence S. 54° 15' W. 120 ft. along British Consulate Premises to stake 3 ½ ft. to left of the Mauka E. corner of Washington Place - Then along British Consulate and Washington Places 120 ft. to point of Commencement - including an area of 400 ~~fathoms~~

Feb. 20. 1849. J. Metcalf Sur.

Costs.

To Adjudication of C. 1888 - John O. and Mary Dominis $1.

To Incidental Expences &c.

Action of Comm. on 10 January 1849		1
draft deposition of Cl. Reduced including		
Copy of original Conveyance	$8	4
draft testimony Rec'd and Eng'd on 10 Jan'y		
Including Copying of Sheriffs writ &c.	$8	5
Citation for attendance.		50
Report of Commissioners this day		
Rendered on above Claim		2 50
		14

Wm L. Lee

J. H. Smith

a/s Kaauwai

L. M. Kamakau

Lonuli

Kalakaua

31 March 1849

Claim № 197 Henry Weeks

This is a claim for an R. of land, called "Mauliilii, or "North Mauliilii", situated in the district of Hilo, Island of Hawaii.

From the Evidence submitted to the Board, it appears, that the claimant received this land from his Majesty, Kamehameha 3, to dwell upon and occupy in the capacity of Konohiki. When this grant was made, it does not appear, but it has been shewn that the claimant has improved and held peaceable possession of this land ever since the Year of our Lord 1837.

In the absence of any counter claim, we consider the Title of the Claimant as clear; and We do hereby award to Henry Weeks a freehold Estate less than allodial, or in other words, a life estate in said land, according to the metes and bounds of the annexed survey, made by J. Metcalf on 23rd October 1847: which freehold estate less than allodial, he may commute for a fee-simple as prescribed by law

"Survey of North Mauliilii. Hilo. Hawaii."

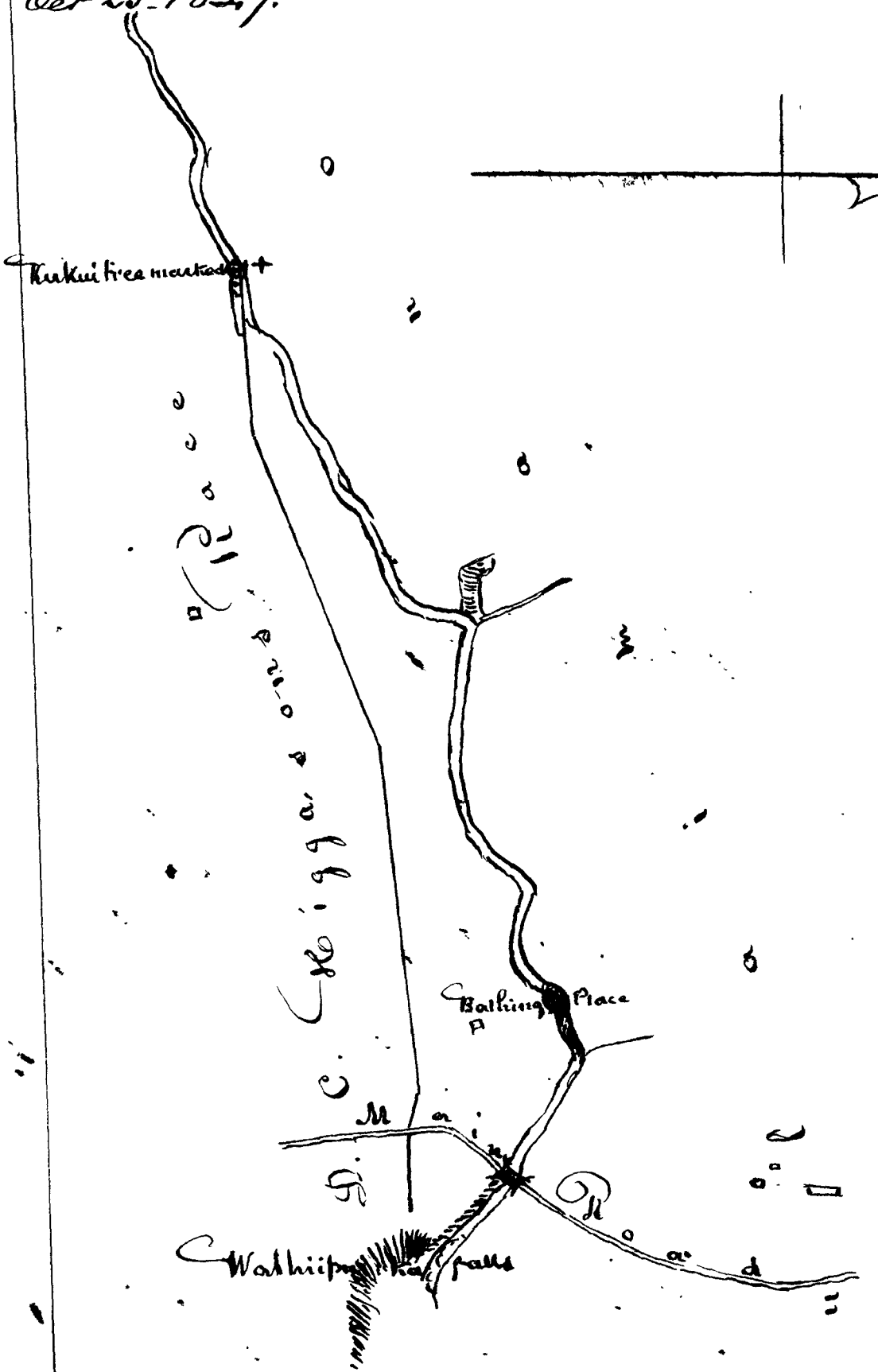
"Commencing at Kukui tree marked + on edge of Waiama Stream seperating this land from Kulaimano (D. Castles place) at extreme mauka point of this, joining the D.C. Higgason place, and running N. 88° 15' E. 8 3/4 Ch. along the D.C.H place to stake. on Ridge - then N. 70° 45' E. 8 Ch. 20 Lk. to stake on little rise - angle - Thence N. 68° E 10 Ch. 13 2/12 Lk. to stake at Mauka edge of D.C.H's Coffee plantation - thence N. 82° 45' E. 8 1/2 Ch. along - Cutting a few of D.C.H's Coffee trees to stake - angle - thence N. 86° 30' E. 9 Ch. 55 3/12 Lk. to Grave on N. side of little Ravine, mauka of main Road - thence S. 69° 30' E. 2 ch. 51 Lk. to stake on Makai edge of main Road. thence S. 86° E. 4 Ch. 13 2/12 Lk. always along boundary line between this and the D.C. Higgason place to

598

Stake S. Nuai pali of Waiama stream - the makai boundary of this land - then following along Nuai pali to Waihiipuka falls - then following along up middle of Waiama stream to place of Commencement - Including an area of Acres 26

Oct 23 - 1847.

J. Metcalf Surv.



Costs. Adjudication of C. N° 197 Henry Weeks &c

To Incidental expences of Commission &		1	
Action of Com^rs on 26 May 1847		1	
Citation			50
draft deposition of Cl. Red^d	$1		50
draft testimony Reduced & Eng^d 26 May	$1		75
Survey by J. Metcalf		10	
Engrossed Copy of do	$3	1	50
Report of Commission this day rendered on the above Claim		5	
		20	25

Wm L. Lee
J. H. Smith
Y. Kaamuai
S. M. Kamakau
Lawaki

Hale Nauwila
7 April 1849

C. N° 387 (Sec 2) Sandwich Islands Mission
Punahou

This is a Claim made by the Sandwich Islands Mission, on behalf of the American Board of Commissioners for foreign Missions, for a certain land situated in the district of Waikiki, Island of Oahu, called "Punahou"; and consisting of two distinct pieces: one, known by the name of Punahou proper; and the other, a sea-land, called "Kukuluaeo."

From the Evidence submitted to the Board, it appears, that this land was given by Governor Boki about the Year 1829 to Hiram Bingham for the use of the Sandwich Islands Mission, and that the same, with the exception of certain portions occupied by Kauhi, Wahinenis, and other Natives, has been in the peaceable possession of the said Mission, from the date of such Gift up

to the present time.

We consider the Title of the "American Board of Commissioners for Foreign Missions" to "Punahou proper", and to the "Sea land "Kukuluaeo", to be the same in its nature as that set forth in the Award of February 1st 1849 of the Lot now occupied by Henry Dimond, and designated as Claim "No 384 - part 1 of Honolulu Claims."

We do therefore Award to the "American Board of Commissioners for Foreign Missions" the aforesaid lands of "Punahou proper" and "Kukuluaeo", with the exception of those portions occupied by Natives :- to have and to hold to them, and to their Successors, during the existence of the "Sandwich Island Mission":- that is to say - so long as the "Sandwich Islands Mission" shall continue to exist, and labor to promote the Christian faith they profess. But if they should cease to exist, or to pursue the object of their profession, these lands will then revert to the Sandwich Islands Government.

The above Award, however, is made upon the express understanding, that if the "American Board of Commissioners for Foreign Missions", shall desire to lease, sell, or otherwise dispose of these lands, or any portion thereof, they shall be at liberty to do so, by first obtaining the consent of the Sandwich Island Government, to such lease, sale, or other disposition.

The correct metes and bounds of the above awarded lands, are contained in the following surveys, made by J. Metcalf on the 6th and 9th days of May 1848.

"Notes of Survey of Punahou premises"

"Commencing at Mauka N. corner of enclosed

premises by Road leading to Manoa valley - and running S. 40° W. 1 ch. 5 3/12 ft. along wall to slight angle. thence S. 35° W. 15 ch. 26 1/12 ft. along Road to W. corner of enclosed Premises. thence S. 26° W. 16 3/4 ch along road to makai W. Corner of this land. (9 3/4 ch. on to new Road) thence S. 63° 15' E. 22 Ch. 29 ft. along Pauoa to Stake, at makai S. corner of this land. Thence N. 58° 45' E. 7 ch. 8 7/12 ft. along Keauhou to Rock marked + angle - thence N. 64° 45' E. 26 Ch. 47 ft. along Kalepaha to Rock marked + on stoney rise - angle - Thence N. 55° E. 11 Ch. 59 5/12 ft. along Pilipili to pile of Stones by path - angle - thence N. 15° 30' E. 6 1/4 ch. along Pilipili to Rock on makai side of stone wall by Path N. 1° 15' W. 7 Ch. 54 7/12 ft. to E. angle of this lot - thence N. 37° 45' W. 13 ch. 13 2/12 ft. along Mauka side of this land to Waiele Path - angle - thence N. 37° 15' W. 9 Ch. 19 10/12 ft. to Stake at intersection of Roads leading up Manoa valley. thence N. 27° W. 20 ch. 13 ft. to point on Pulumala - the mauka N. Corner of this land - then direct down Halakaa to place of commencement - Including an area of Acres 224 68/100.

May 6. 1848. J. Metcalf Sur.

See diagram Page 603.

"Notes of Survey of Kukuluaeo" the sea-lands belonging to Punahou"

"Commencing at buried Stone at Mauka N. Corner of this land - joining Kewalo" on Mauka and Pehu on N. W side, and running S. 16° W. 8 ch. 41 ft. along Pehu to angle - thence S. 5° 45' E. 5 ch 19 10/12 ft. along and to E. Corner of large fish Pond, thence S. 12° 15' E. 6 ch. 23 9/12 ft. to E. Corner of Lazoha's house angle - thence S. 5° 45' W. 2 3/4 ch. to, and indefinitely into Sea. Then from point of Commencement and running S. 61° 45' E. 17 Ch. 19 10/12 ft. along Kewalo to post in front of Oneua's house - angle - thence S. 60° E 21 ch. 6 7/12 ft. along Kewalo to angle (about 4 ch. makai of Samuel Toddys house) thence S. 21 E.

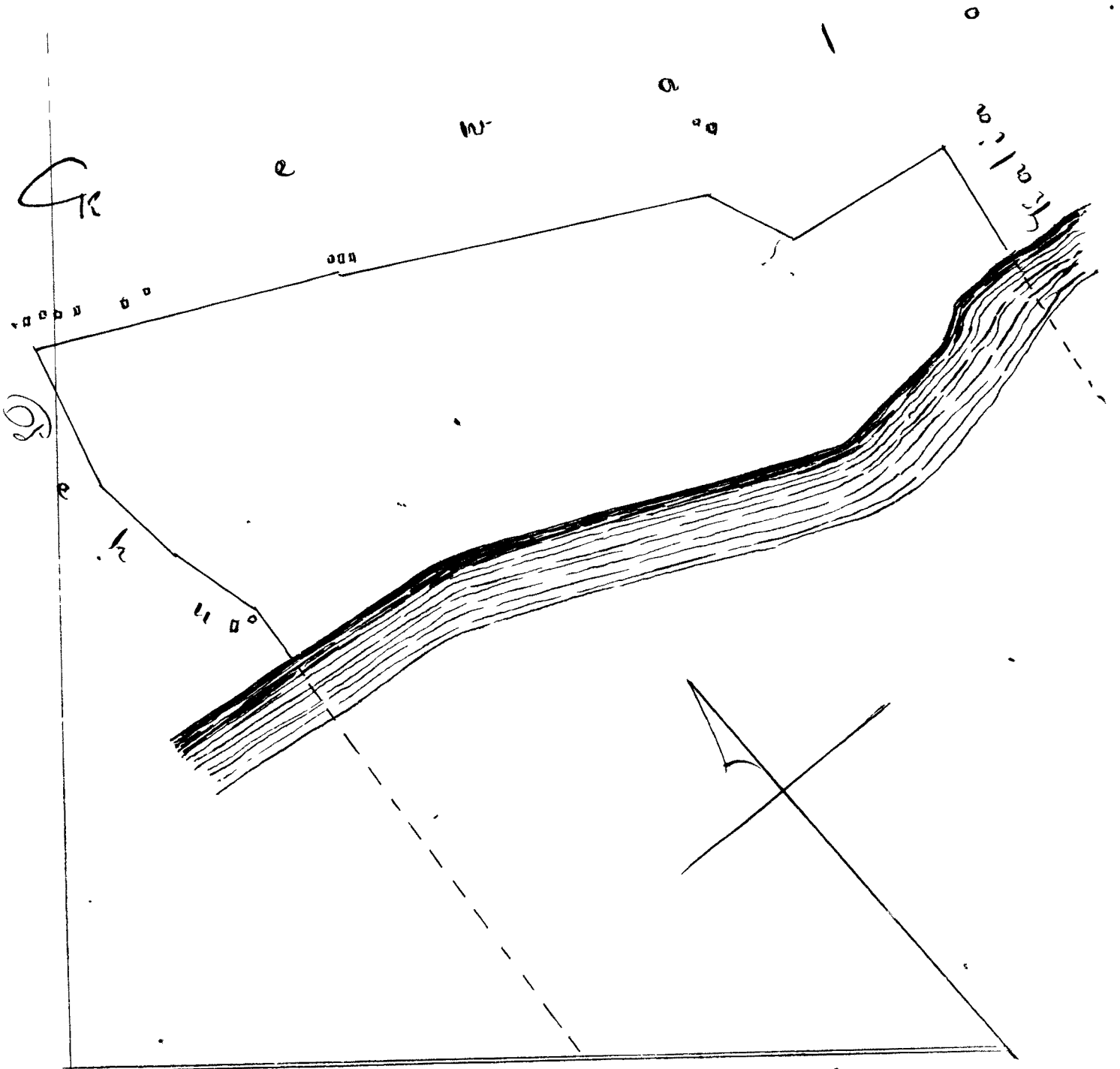
602

5½ Ch. along Kewalo to angle - Thence S. 81° E. 9 ch. 59 5/12 Lk. along Kewalo to Mauka E. corner of this Land - Thence S. 11° W. 7 ch. 9 3/12 Lk. along land called Kalia, to, and Indefinitely into Sea - Containing an Area of dry land of

Acres 77

May 9 1848.

J. Metcalf Sur.

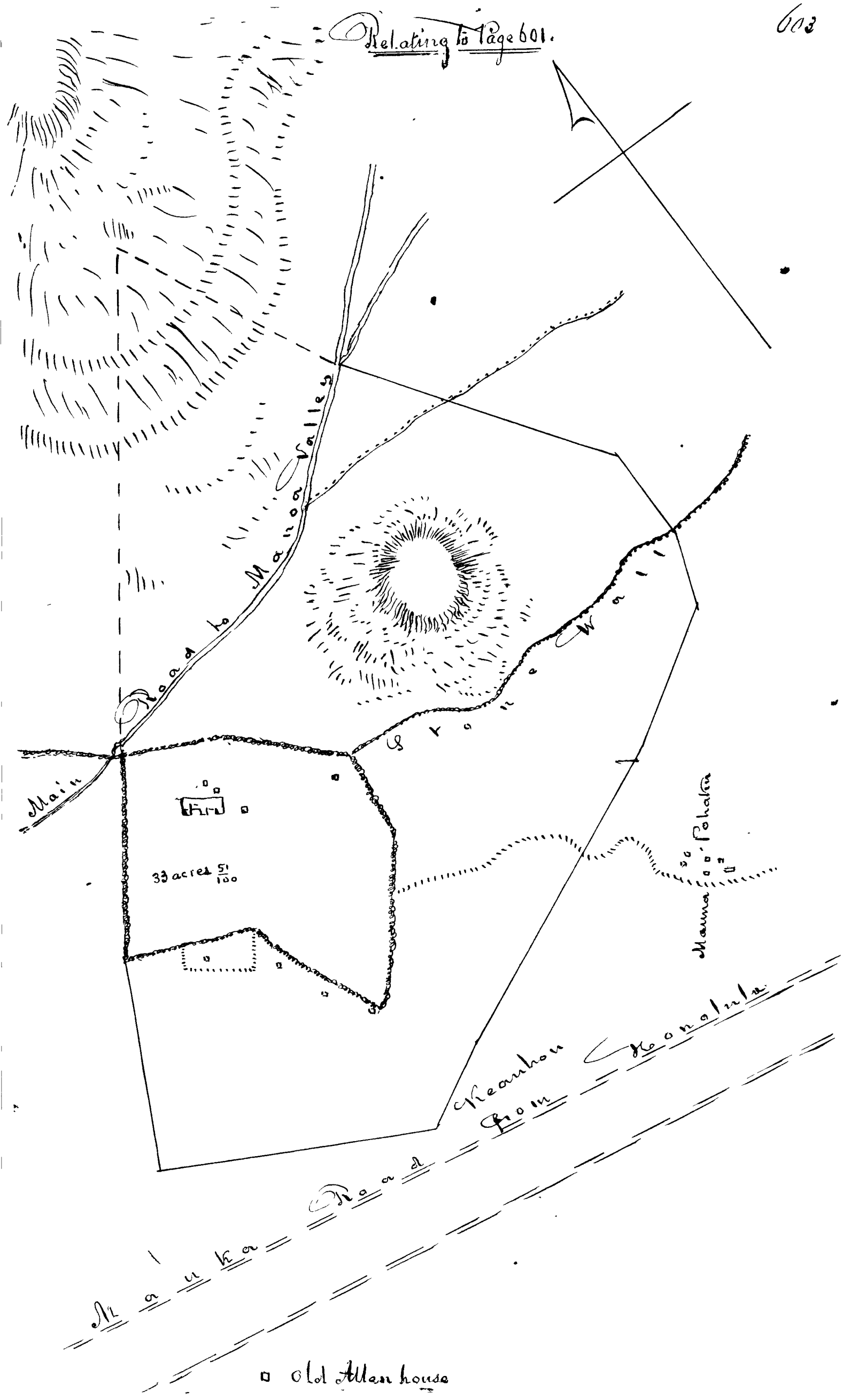


Costs. Part 2 of № 387. L. I. Mission Lds

To Bill of Survey of J. Metcalf 15
Commission Wm L. Lee 5
I. H. Smith
J. Kaauwai 4 20
D. Kaauwai
L. H. Kam & Kau
Deceased

Hale Kauwila
7 April 1849

Relating to Page 601.



604

C. № 72 — D. C. Higgerson.

This is a claim for a tract of land situated in the district of Hilo, Island of Hawaii, Containing an area of about 150 acres.

The Commission on the 19th day of May 1847 after a due consideration of the Evidence taken in this claim, voted a Right of tenancy in said land to the claimant and his heirs; with the privilege of Converting such right of tenancy into a fee-simple title, by paying 1/3 of the present unimproved value of said land.

Since the above-named vote, the claimant has deceased; and we do hereby Award to his heirs, a right of tenancy; or in other words a life estate in said land; which they may Commute into a fee-simple title upon the terms named in the before mentioned vote - Viz by paying the one third of the present unimproved value of the land. The rights of native occupants if any, are to be Respected

The correct bounds of this land are set forth in the following Survey.

See Vol 3 - Page 106 -

A № 43 Robert Read from Page 586

"Notes of a lot claimed by Stephen Read in Ahupuaa of Kuhua, in Lahaina. Isl.d of Maui

Beging. at N.W. Corner & running

N 26.° E	1.45	Chains	along lot of	Isaac Lewis
S. 45½ E	0.55	"	"	Iniwale
S. 18. E	0.06	"	"	"
S. 43¾ E	0.42	"	"	"
S. 47¾ W.	1.41	"	"	Isaac Harbottle
N 44½ W	0.99	"	"	Main Street to Commence

Area 23 Poles

He Pahale kuleana aia ma ke Ahupuaa o Kuhua ma Lahaina Maui.

E Hoomaka ana ma ke Kihi A-Kō a e holo ana

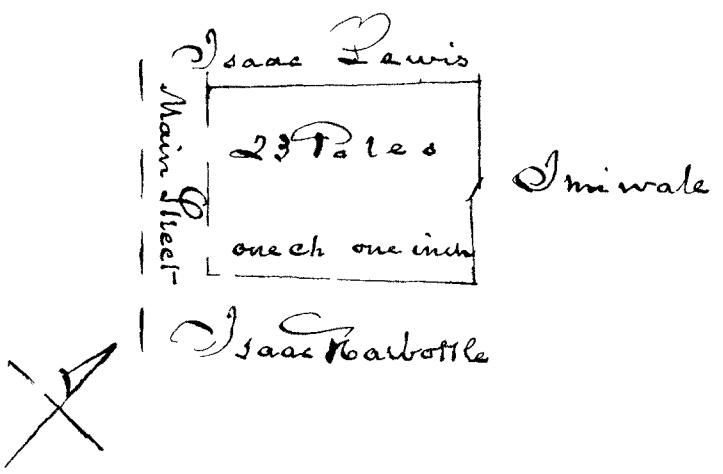
A 26.° Hi	1.45	Kaul.	epili ana me	Isaac Lewis
Hi 45½ "	0.55			Iniwale
" 18 "	0.06			"
" 43¾ "	0.42			"
" 47¾ Ko	1.41			Isaac Harbottle
A 44¾ "	0.99	"	"	alanui aupuni a hiki

aku i Kahi i hoomaka ai

Ka Hi Iwakaluakumamakolu mau Rods

F. P. Alexander

Mea Anaina



606 P. 180 ✝ 10 — true award (this Cancelled)

Helu 30. Kahoowaha. Mai 111 mai

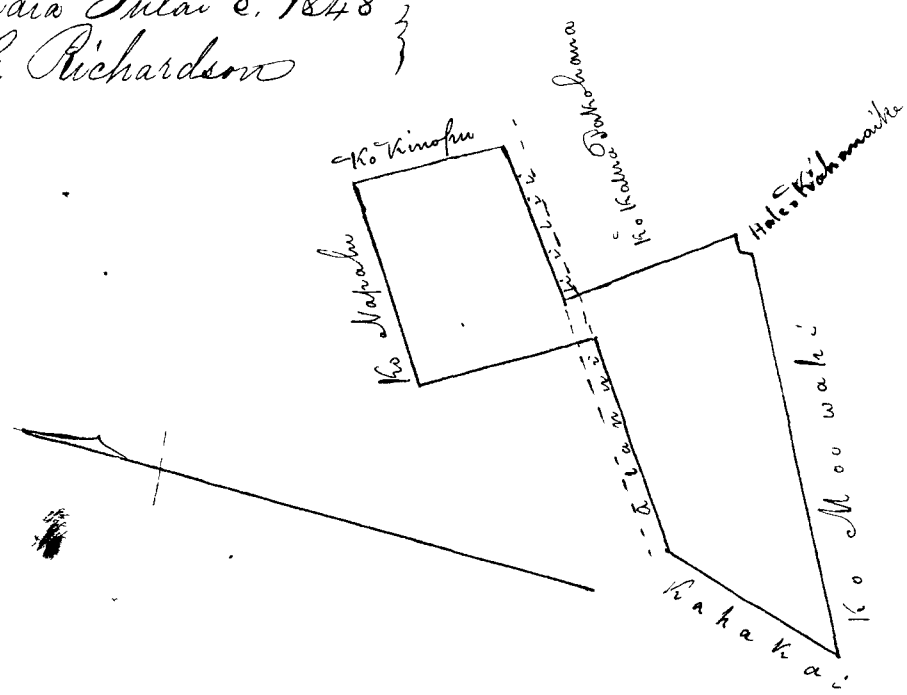
See Transactions Page 41.

Ke ana o ke kahuahale o Kahoowaha ma Kapunkolo i Honolulu kulanakauhale.

Hoomakaia ke ana ana ma ke kihi Komohana Hema, a holo aku la ka aoao muua Akau 62° Hikina, 2 kaulahao, 15 10/12 Kapuai, e pili ana i ko Moo wahi, a piki i ka hale o Kahanaike, alaila Akau 29° 30' Kom. 4 11/12 kap. kuli Akau 64° 30' Ak. 5 11/12 kap. e pili ana ia mau aoao i ka hale o Kahanaike, kiki i ko Kalua Pakohana, wahi, alaila kuli Akau 35° Kom. 82 8/12 kap. e pili ana i ko Kalua Pakohana wahi, kiki aku i ka aoao Akau o kahi Alanui kuliii, alaila kuli Akau 53° Ak. 56 1/12 kap e pili ana i kahi Alanui kuliu, kuli Akau 27° 30' Kom. 52 10/12 kap. e pili ana i ko Kinopu pahale, kuli Hema 55° 30' Kom. 1 kaul. 10 7/12 kap. e pili ana i ko Kapeahi, kuli Hema 30° 30' Kik. 60 9/12 kap. e pili ana i ko S. Kowahi, kiki i ka aoao Hema o kahi Alanui, kuli Hema 55° 15' Kom. 1 kaul 13 2/12 kap e pili ana i kahi Alanui, kuli a holo hou i ke kihi i hoomaka i ke ana ana. Hema 16° 30' Kom. 1 kaul. 4 kap e pili ana i Kahakai

Eia ka ili 284 Anana, 19 Kapuai, 4 Kuea

Anaia Julai 8. 1848
G. Richardson



See Page 150. Vol. 9 award

C. N° 517. - Manuel Joseph, William Joseph & Maria Joseph.
C. N° 815 — Honi — Counter.

The piece of land which is the subject of the present Contested claim is situated in Honolulu, Oahu.

Testimony of Considerable extent has been taken by the Commission on four several occasions in Relation to both these cases; and the principal facts necessary to establish a title, have been elicited in favor of both Contestors, in nearly equal proportion - Viz early possession and long residence.

It appears that Kalaa, the Mother of Claimants in N° 517 who make a joint claim, gave her right in the lot to her three Children above named, at the time of her death, and that she had received it from her husband, Joseph Sylva, - better known as Portuguese Jo, at the time of his death; and he from Boki in the first Instance. In the absence of certain precise dates, there can be no doubt of the family of the Josephs having had a right in this lot, or in the one for which it was given - from a period anterior to 1830 to the Year 1842 - having occupied a part of it to that time, when they removed to another place, for some Cause unexplained; without abandonning their former rights in this.

The Counter Claimant in N° 815. Honi, has also produced evidence to prove that he has lived on the same lot with the Josephs family, from the Year 1828, when he received it, or rather a right in it from the King, through Boki - the ostensible Grantor of both parties, and that he has held possession of it in its substituted form, unto the present time.

There is nothing in the testimony to indicate that either of these donations Clashed with each other; or that one party received what the other claimed by the same right or title: which Circumstance Conclusively proves that the grants regarded a joint or Common occupancy of the same piece of land. Nor does there appear to have been any dispute between them about limits, till after the new roads had Cut up &

destroyed, a great part of the old lot, when "they were moved together to the present place" as stated by Nahinu one of the witnesses, and Luna under the Government at the time. He further says. "I was commissioned to inform them together, that that was their place. I could point out the distinct spots which I then shewed to Kalaa, Akoni, & the Wife of Hobbs, as the place awarded to them by the Government, for those they had lost by the new Road. In my opinion, both Claimants have equal Rights."

Without attempting to trace the varying limits of this moving Claim from its origin to its present position, We consider, the statement just quoted of Nahinu, in Connection with the other evidence on record, is sufficient to guide us to as equitable a judgment in the case as can be arrived at under all the circumstances attending it. The apparent disproportion between the dimensions thus awarded to these several parties, as appears by the Surveys ordered by the Board to be made in Company with & under the direction in accordance with this Case by the Committee appointed to superintend the Road Making & acting with Kenau & Nehuanaoa in this affair — seems to disagree with the "equal rights" which Nahinu Considered to belong to both parties. if the sense of that expression is extended to any thing beyond the right of occupancy which he evidently alluded to. — As there is no evidence before the Board, relating to the original extent of this lot or to seperate limits and relative proportions which, do not appear to have formerly existed in the case — and as the adjudication of this Case occurred before such disposals were Controlable by Law, — The Commission have neither authority nor light to authorize them to disturb the transaction alluded to in that particular.

We therefore Award to Manuel Joseph Williamu Joseph, and Mari Josiph a free hold title less than allodial in that portion of land as described in

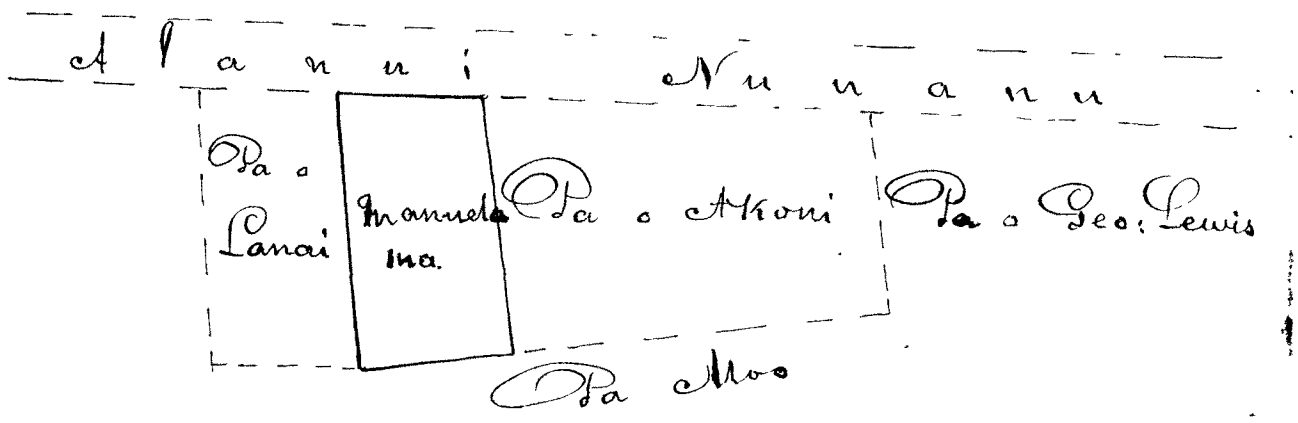
the annexed Survey of D. Kalanikahua - and which they may Commute for a fee-simple as prescribed by law -

And we do further Award to Akoni, a freehold title less than allodial to that portion of land as described in the annexed Survey of D. Kalanikahua - which he may Commute for a fee simple as prescribed by law.

Survey and Costs in Cl. No 517. M. W. of Mt Josephs "Manuela ma" -

Ke ano o ke ana ana i ka pahale o Manuela ma, ma Honolulu i Oahu, Makaiko o ka pa o Akoni, ma ka aoao Hikina hema koi o ke alanui Nuuanu. a Manaia iho o ke pa o Lanai E. komoka ana i ke ana ana ma ke Kihi Komohana o ko Akoni wahi a ma ke kihi Akau koi o kela pa. e pili ana koi i ke Alanui Nuuanu.

A moe aku ka aoao ma hema 49° 30' Komohana 25 9/12 Kapuai, e pili ana ia aoao i ke alanui Nuuanu iloko i ke kihi Akau o ko Lanai wahi, huli Hema 47° Hikina 48 10/12 kapuai, e pili ana ia aoao o ko Mr. Lanai wahi, huli i ke kihi Hema o kona pa, huli Akau 42° Hikina 35 9/12 Kapuai, e pili ana ia aoao o Kapa Moo, huli i ke kihi Hema o ko Akoni wahi, alaila, huli Akau o kona i ana ana Akau 48° Komohana 45 6/12 Kapuai, e pili ana ia aoao i ko Akoni wahi. Eia ka ili, 33 Ahaina, 35 Kapuai.



610 Costs. C 517. Manuel William and Marie Joseph Dus

To Incidentals expences &		1	
Action of Commission on 18 October 1847		1	
Citation			50
Draft dep. of Claim Reduced	$2	1	
" testimony Recd. and Engd. 18 Oct.	$2	1	50
" " "	$2	1	50
Survey of L. Kalanikahua		2	50
Engrossg " same			50
Report of Commissioners on the above Claim this day rendered		2	50
		12	

Wm L. Lee
H. Smith
M. Kaauwai
Granddi

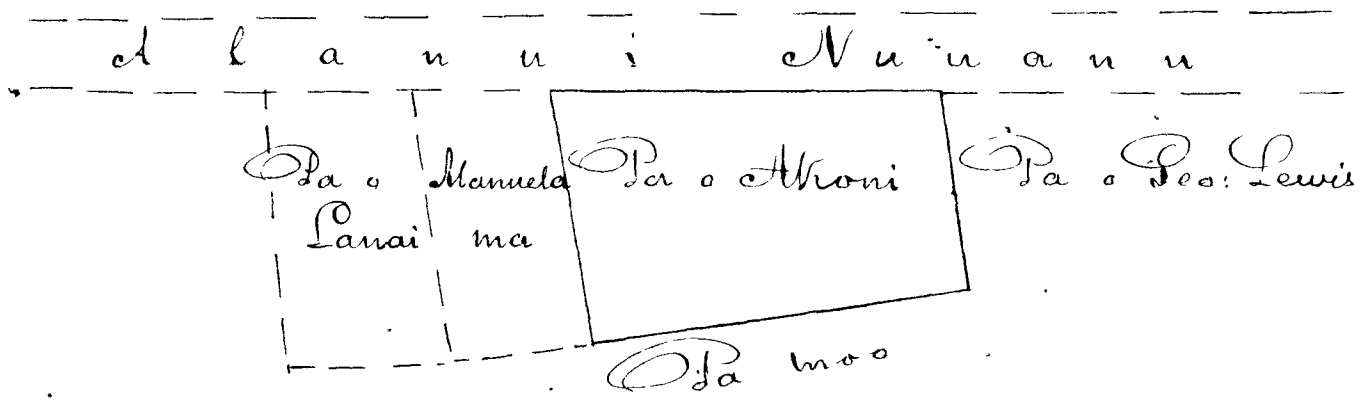
Hale Koona
27 April 1849

Survey and Costs in C. N° 815 Akoni

Ke ano o ke ana ana o ka pahale o Akoni ma Honolulu o Oahu. Ma ka aoao Akina Aema o ke Alanui Nuuanu, Makai iho hoi o ka pa. Joe Lewis, Mauka iho o ko Manuela ma waho

E hoomaka ana i ke ana ana ma ke kihi Akau o kua pa, ma ke kihi Komohana hoi o ko Joe Lewis wahi, e pili ana o ke Alanui Nuuanu. E moe akau ka aoao mua Aema 49° 30' Komohana 2 ¾ kapuai e pili ana ia ona o ke Alanui Nuuanu, a iloko o ke kihi Akau o ko Manuela ma waho, hulo Aema 48° Hikina 45 1/2 kapuai, e pili ana ia ona o ke kihi o ka la ma waho, hiki o ka pa Moo, hulo Akau 42° Hikina 1 Kanaha 14/2 kapuai hiki o na pa Moo ma ke ala Hikina hoi o kua pa, auala, hulo o iloko i ka mauka o ke ala Akau 49°. Komohana 35 8/12 kapuai E. i. ke ala 78 o kua, 29 Kapuai.

671



Costs. Ce. 815. Akoni : &c

To Incidental Expences 1 — 1

Action of Commrs on 22 March 1848 1

Citation 50

Draft dep. of claim " 50

" Testimony Rcd & Engd 3

Survey by D. Kalanikahua 2 50

Engrossg same 50

Report of Commissioners this day
rendered on the above claim 2 50

11 50

Hale Koona
27 April 1849

Wm L. Lee
I. H. Smith
D. Kaauwai
Locums

62

Claim of Mr Wm Lee Wm Livingston

This is a claim for a small land in Kone-kuhi ouna - called "Kalowahune" Oahu.
It consists of three pieces, having been divided by the Nuuanu Road, which was made in 1838 and leaving the part on which the house stood on one side of the present Road with the greatest proportion of the Kalo grounds, in two lots and the other part consisting of one Kalo patch on the other side.

The Claimant alledges that he received this land in the Year 1836 - and the Testimony taken before the Board proves that he has held undisturbed possession of the same ever since the time of Kinau - and that he had it from Mahoe and Nawai about the time stated above. We accordingly award to William Livingston a fee simple title to this land, less than allodial, which he may commute for a fee simple as the law prescribes.

The boundaries of the above land are described in the following survey of D Malanikahu

It is proper to state that the cause of the present claim of high number appearing thus early on the Record of adjudications, is owing to Claimants sworn allegation before the President of the Commission, that this Claim with its accompanying survey, had been entrusted by him to James Boshon Esq: to place on file with the Board at a very early stage of its institution. And that it was not till after the lapse of the legal period for such presentations, that he was aware of said documents never having been presented

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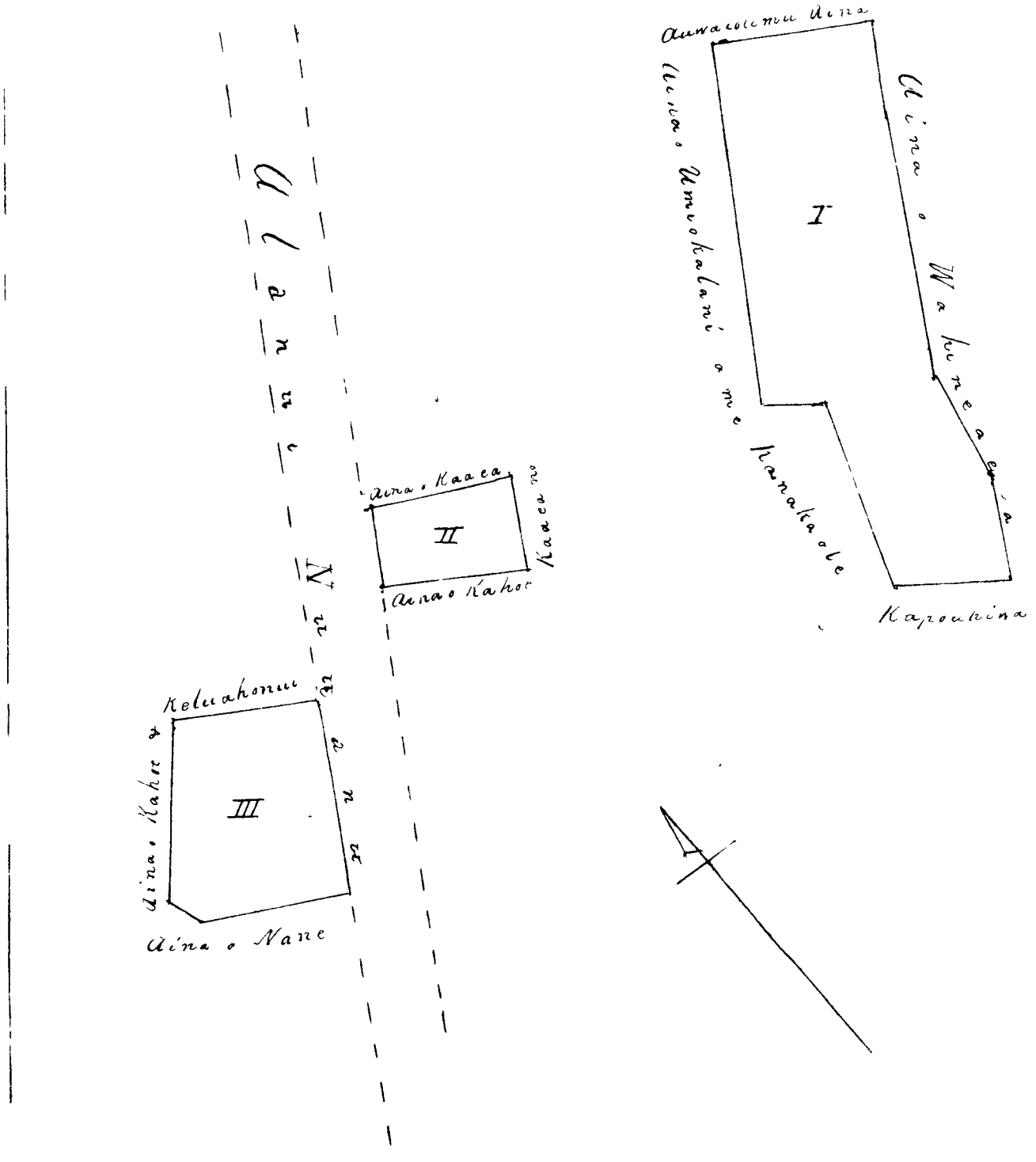
Surveyors Notes and diagrams Pages 613. 614



See Notes on the next page.

Costs of Adjudication of Ap. No 11100 William Livingston Lee

To Incidental Exp. of Application of Comm. on 29 Sep. 1848	2	
Citation 50 cts. draft depos. of Claimt f 2 - 1	1	50
Att. testimony Recd & Exd on 29 Sep. 1848 f 2	1	50
Survey, Engrossg 2.50 Report of Comm. 2.50	7	50
	12	50

William L. Lee
by H. Smith
by Kaauwai
Agent

Hale Hoonui
May 7 1849

614

Notes to Survey of R. C. 11100 W. Livingston

Apana I Ke ana o ka Pahale o Livingston ma Kalawahine, ma Honolulu, Mokupuni Oahu Ma ka aoao Komohana Akau o ka Aina o Wahineaea. Makai hoi o Ka Aina o Kapaia o Auwaiolimu. E hoomaka ana i Ke ana ana ma ke kihi Hikina o Keia Aina, e pili ana i Auwaiolimu Aina.

A moe aku Ka aoao mua Kema 39°20' Komohana 2 Kaulahao, 29 3/12 Kapuai; alaila, Kema 18° Komohana 50 2/12 Kapuai alaila, Kema 31°30' Komohana, 46 2/12 Kapuai, e pili ana ia Poe aoao i Ka aina o Wahineaea, hiki i Ka Aina o Kapouhiwa; alaila, Akau 47° Komohana, 50 7/12 Kapuai, e pili ana ia aoao i Ka Aina o Kapouhiwa alaila, Akau 27° Hikina 1 Kaulahao 24 5/12 Kapuai, alaila, Akau 42°20' Komohana, 23 3/12 Kapuai, e pili ana ia mau aoao i Ka Aina o Kanakaole, alaila, Akau 39°30' Hikina 2 Kaulahao, 33 Kapuai alaila, huli i Kahi i hoomakaia Ke ana ana Kema 48° Hikina 1 Kaulahao 7 7/12 Kapuai, e pili ana ia mau aoao i Ka Aina o Annio Kalani, a me Hoine. Eia Ka ili 3 Kaulahao, 120 Anana, 24 Kapuai — Kuea

Apana II Ke ana o ka Aina o Livingston ma Kalawahine, ma Honolulu Aina Mokupuni Oahu, Mauka iho o Ka Aina o Kahoe Ma Ka aoao Kema hoi o Ke Alanui Kuwanu Makai iho o Ka aina o Kaaea,

E hoomaka ana i Ke ana ma Ke Kihi Akau o Ka loi o Kahoe, e pili ana i Ke Alanui Kuwanu. A moe aku Ka aoao mua Kema 48° Hikina 64 Kapuai, hiki kihi Komohana o Ka loi o Kaaea. huli Akau 40°30' Hikina 44 3/12 Kapuai, hiki i Ke Kihi Akau o Ka loi o Kaaea huli Akau 56° Komohana 1 Kaulahao, hiki i Ke Kihi Komohana o Ka loi o Kaaea; alaila, huli i Kahi i hoomakaia Ke ana ana Kema 41°30' Komohana. 34 4/12 Kapuai
Eia Ka ili, 70 Anana, 24 Kapuai — Kuea

Apana III Ke ana o Kekahi apana aina o o Livingston ma Kalawahine. ma Honolulu Aina. Mokupuni Oahu Ma Ka aoao Akau o Ke Alanui Kuwanu. Makai iho o Ka Aina o A. Keliiahonui. Mauka hoi o Ka Aina o Kane. E hoomaka kihi Kema o Ka loi o A. Keliiahonui e pili ana i Ke Alanui Kuwanu.

A moe aku Ka aoao mua Akau 53°40' Komohana, 1 Kaulahao, a pili ana ia aoao i Ka Aina o A. Keliiahonui, alaila, Kema 44° Komohana 1 Kaulahao 17 2/12 Kapuai, e pili ana ia aoao i Ka aina o Keliiahonui a me Kahoe. alaila, Kema 13°10' Hikina 16 4/12 Kapuai, alaila, Kema 5° Hikina 1 Kaulahao 3 4/12 Kapuai, hiki i Ke Alanui Kuwanu, e pili ana ia mau aoao i Ka aina o Kane; alaila, huli i Kahi i hoomakaia Ke ana Akau 32°30' Hikina 1 Kaulahao, 23 5/12 Kapuai e pili ana ia aoao i Ke Alanui Kuwanu.
Eia Na ili, 1 Kaulahao, 59 Anana, 32 Kapuai - Kuea

C. N° L 32 Authony Sylvora

This is a claim for a certain piece of Land in Waikapu, Island of Maui.

The Claimant obtained this land from Kaai the Konohiki of the District, and he from his parents who received the with other Lands from Kaahu-manu I: his possession has always been peaceable.

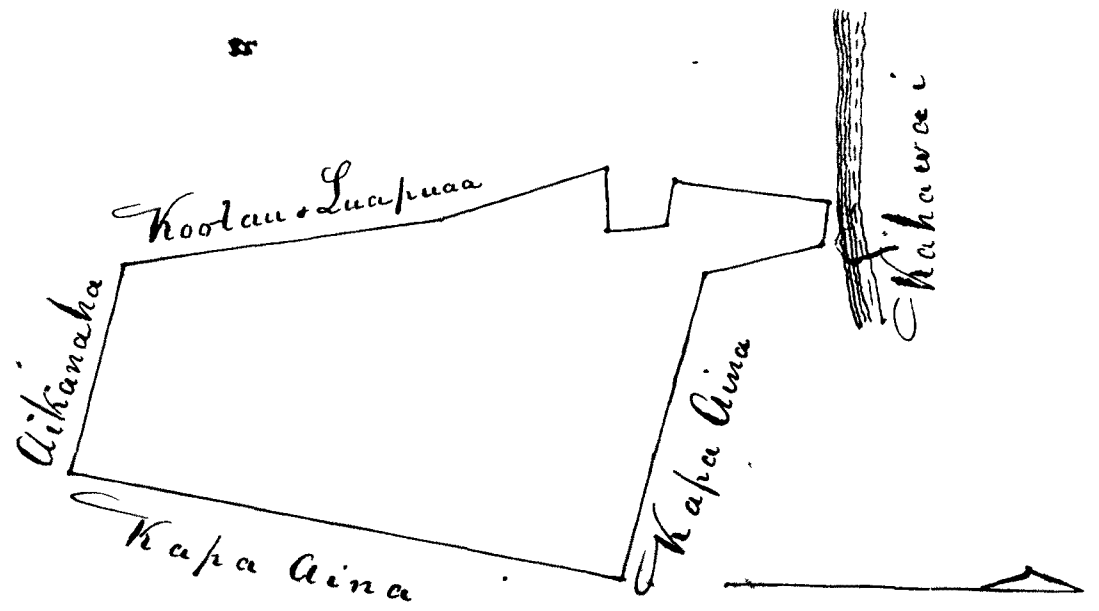
This title is clear; Coming under the 1st Rule of the Board: and We do hereby Award to Authony Sylva a freehold Estate less than allodial; or in other words, a life Estate, in said lot, which he may Commute for a fee-simple title as prescribed by Law.

The correct metes and bounds of this lot are Contained in the annexed Survey made by John Richardson on 19th January 1847.

Ke kii o ka aina o Atoni Silva o Lehuapuu ka inoa, aia ma Waikapu i Maui, aia hoi ma ka kapa ma ka aoao hema o ka kahawai nui, ma ke Komohana o ka Alanui Aupuni, ma ka Akau hoi o ka aina i kapaia o Aikanaka, ma ka Hikina hoi o na aina i kapaia o Koolau, a me Luapuaa.

O komoka ana ka aoao mua, ma ka lihi mauka o ke Alanui Aupuni, a mai aku i ka H. 9° 30' Ko. 11 Kaulahao, 64 8/12 kapuai, huli H. 78° Ko. 4 Kaulahao 33 1/12 kapuai, a hiki i ka aina i kapaia o Koolau, huli A. 10° Ko. 6 Kaulahao, 60 kapuai, huli A. 18° Ko. 3 Kaulahao, 36 8/12 kapuai, hiki i ka lihi Aupuni i kapaia o Kaimuiki, huli A 86° Hi. 1 Kaulahao 16 kapuai, huli A. 1° 30' Hi. 1 Kaulahao, 18 kapuai, huli A. 86° Ko. 56 kapuai, huli A. 8° 30' Hi. 3 Kaulahao, 16 8/12 kapuai, hiki i ka lihi o ke kahawai nui, huli H. 83° Hi. 58 kapuai, huli H. 10° 30' Hi. 2 Kaulahao, 46 8/12 kapuai, alaila huli i kahi i komoka i H 73° Hi 7 Kaulahao, 6 8/12 kapuai. Eia hui ka ili malo'o 8 Eka, 32 Roda

0.16



Costs Adjudication of R. N° 132 Anthony Kekua $

To Incidentals expences &c of Commissⁿ.			1
Action of Comm^rs at Maui — Dec^r. 1846			1
Citation. 50. Draft testimony reduced and Engrossed		£2	1 50
Engrossing Survey made by John Richardson			1
Report of Commissioners this day rendered on the above Claim			5
			9 50
Ad. depos^t. of Claim reduced		£2	1
			10 50

Hale Koona
Aug 16. 1849.

Wm L. Lee
L. H. Smith
Z. Kuaiwai
Secretaries

No 372. P. Anthony Sylvaa

This is a claim for a house lot situated in the Town of Lahaina, Island of Maui.

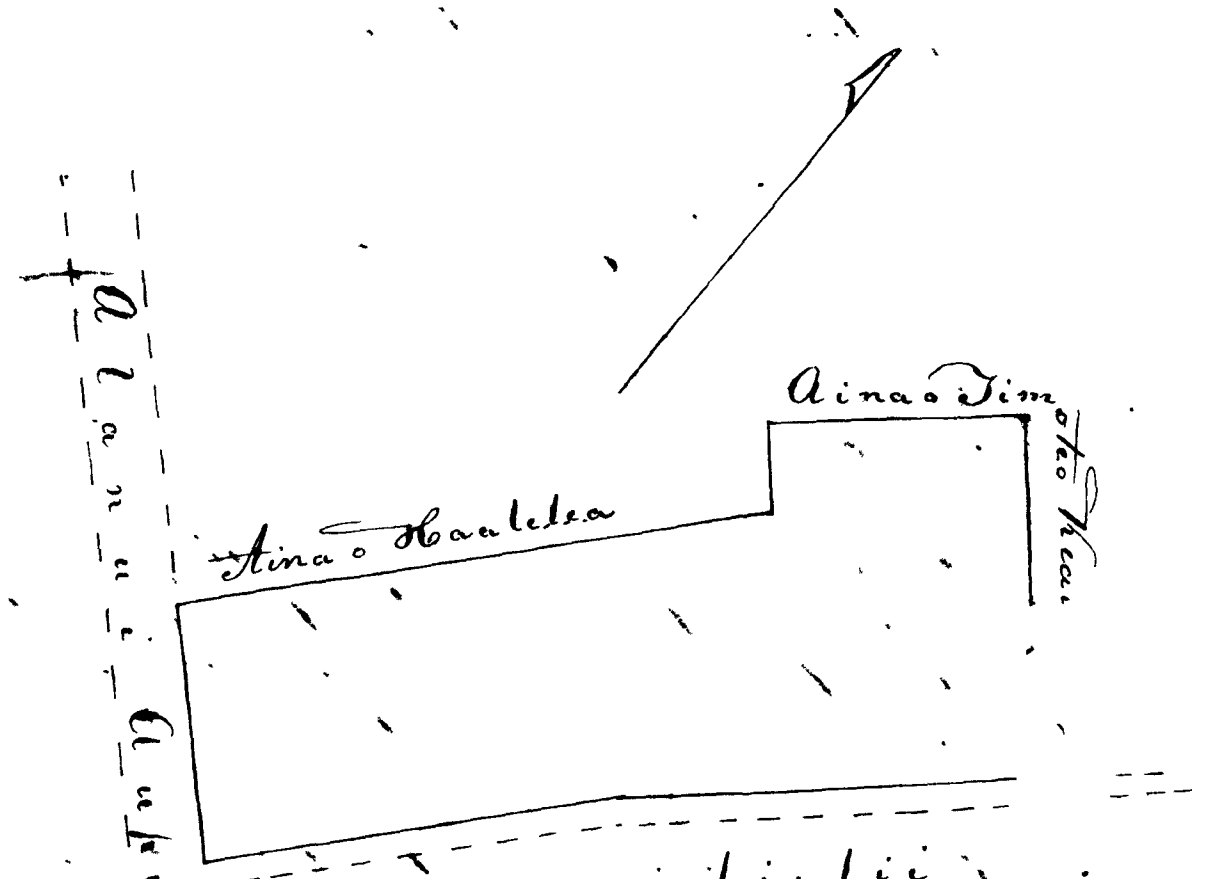
From the Evidence taken it appears, that the Claimant received this lot from the late Premier Kekauluohi, and the late Governess of Maui Hoapili Wahine in 1841 or 1842, And that he has had peaceable possession of the same ever since. This Claim is clear beyond dispute, and we do hereby award to Anthony Sylva, a freehold Estate less than Allodial, or in other words a life Estate in said lot, which he may Commute for a fee-simple Estate, as prescribed by law.

The correct bounds of the above Awarded lot are contained in the annexed Survey made by John Richardson Esq. May 17. 1849.

Ke kii o ka aina o Anthony Silva, ma ke kulanakauhale o Lahaina, Mokupuni o Maui, Aia kui ma ka hikii i kapaia o Mkiakaiole.

O kuomoku aina ma ke kihi Komohana o kuia aina, e hele ana kui ma ka aoao mauka o ke Alanui Hupunui i ka Hema 46° 30' Hikina 43 1/3 Kapuai, a hiki i kahi alanui olole e holo ana mawaena o ka pa o Hoohui, a me kuia pa, a malaila aku holo i ka Akau 39° Hikina 1 Kaulahao, 8 kapuai, alaila hui i ka Akau 48° Hikina 1 Kaulahao 4 2/3 kapuai, a malaila aku holo mawaena o ka aina o Timoteo Keawaiwi, a me kuia aina i ka Hema 40° 45' Komohana 62 kapuai, oia kui ka aoao mauka o kuia aina, a hiki i kekahi kumu ulu, a malaila aku holo no mawaena o ka aina o Timoteo Keawaiwi, a me kuia aina i ka Hema 49° 30' Komohana, 46 1/2 kapuai, a malaila aku holo mawaena o ka aina o Haalelea, a me kuia aina i ka Hema 39° 30' Hikina 17 kapuai, a malaila aku holo no mawaena o ka aina o Haalelea, a me kuia aina i ka Hema 42° Komohana 1 Kaulahao, 3 1/2 kapuai, a hiki i kahi i homaka i ke aina ana. Eia kuia ka ili o kuia aina 1 Kaulahao 85 Anana, 26 Kapuai. 3 Kuea.

618



6.

Costs. Adjudication of C. No. 3715. Anthony 2nd. Wa Dr.

To Incidental Expences of Commr.		1	
Action of Commr. on 15 May 1849		1	
~~Citation~~			50
Draft test. reduced Engd. 15 May	f2	1	50
Engrossed Survey by John Richards	f2	1	
Report of Commissioners this day rendered on Above claim		5	
		10	

Wm. L. Lee
~~J. H. Smith~~
D. Kaaua i
Interpr.

Hale Hoona
to August 1849

Ce 781. Alexander St Dick.

(Ohana Waiehu)

This is a Claim for two Ilis of land known by the names of "Kalelena", and "Hanamui", situated in the Ahupuaa of Napoko, Island of Maui. The Claimants Title is based upon the following deed.

"O Mana O Kamehameha 3 a me Kekauluohi, he haawi aku nei mana me ka hoolilo aku no Alexander St. Dick, i Kekahi mauaina aia ma Napoko, o Kalelena ka inoa, o kekahi aina. No na Dick la ia mau aina elua, a no kona mau hooilina kanaka maoli i hanauia ma Hawaii nei, au lakou mau loa. aku, aole hoi e lilo aku i ka haole no ka aina e mai: A ke haawi aku nei mana ia Alexander St. Dick, i na pono a pau e pili i ua mau aina la mai ka wakahiko mai.

No ka piaio o keia, ua kakau no mana i ko mana inoa i keia la iwakaluakumamaha o Dekemaba i ka makahiki o ka haku hookahi tausani ewalu haneri me kanakolu kumamaiwa, ma Lahaina, Maui.

Witness.
Wm Richards.

Kekauluohi
Kamehameha III "

The Board do hereby confirm the above deed, and Award the said lands "Kalelena" and "Hanamui", with all the rights and privileges belonging thereto, to Alexander St. Dick and his Hawaiian-born heirs, to have and to hold forever, upon the Conditions expressed in said deed. The correct bounds of the above lands are described in the following Survey of J. Metcalf Esq.

"Of "Kalelena". Commencing at Clump of rocks marked + called Pohakumakaha, at N.

Corner

620

of this land joining Pohakunui, and running S. 56° 15 W. 11 Ch. 13 2/12 Lk. across Waikule Stream to pile of stones on Ridge at S. Corner of this land. Thence N. 47° E. 7 Ch. 51 1/2 Lk. along Waiho... to stake at Entrance of Water Run into Kalo patches, Thence N. 40° 45' E. 2 Ch. 33 2/12 Lk. to stake by stream, to Edwin Miners land. Thence N. 26° E. 3 Ch., 38 3/12 Lk. across stream and Kalo lands to stones angle. Thence N. 4° 15' W. 2 1/2 Ch. up Pali to Stones at angle. Thence N. 2° 15' E. 5 1/2 Ch. to corner of Stone wall. Thence N. 35° W. 3 Ch. 6 7/12 Lk. along Stone wall to pile of stones by water run at N. Corner of this land. Thence S. 48° 30' W. 21 Ch. 59 5/12 Lk. along Pohakunui to place of Commencement. Including an area of

19 Acres 13/100

Hananui

"Commencing at pile of stones at head of water Course, on Waiehu side of this land, and running N. 19° 30' E. 5 1/2 Ch. along Waiehu to top of Sand hill at ang Thence N. 65° 15' E. 16 2/10 Ch. to boundary point, between Aane and Niuhukahi Seas. Then alo... Sea 17 37/100 Ch. to the N.W. to Coral rock at Bou... -ary point between this and Kakiola Sea. Thence S. 12° 45' W. 70 Ch. along Kou over Sand hills to angle, nearly opposite point of Comm't. Thence S. 67° 15 W. 61 1/2 Ch. along Kou to stake on Onihi Ridge at angle. Then following along up on top of Onihi Ridge to highest peak visible from below. Then from point of Comm't again and Running S. 11° 45' E. 8.71/100 Ch. along Waiehu to angle of Water Course. Thence S. 18° 30' W. 7 58/100 Ch. to pile Stones at angle of Water Course. Thence S. 60° 15 W. 6 1/4 Ch. to large Rock marked + angle. Thence S. 88° 30' W. 2 16/100 Ch. to Corner of wall of Lelehui's land Thence S. 67° W. 37 5/100 Ch. along Lelehui's to ang

or 15

of Water Course. Thence N. 73° 15' W. 2 66/100 Ch. to Stake at Angle of Water Course - Thence S. 80° W. 2 2/10 Ch. to Lauhala by Water Course - Thence S. 67° W. 3 36/100 Ch. to Rock little Mauka of Water Course - Thence S. 58° W. 1½ Ch. to flat Rock marked +. Thence S. 62° W. 50½ Ch. to top of Puu Ulahua on Ridge dividing this land from Waiehu. Then following up said Ridge to highest Mountain peak visible from below - Including an area of 167 Acres to this and to the highest peak mentioned on Oihi Ridge.

Sep. 25 1847. J. Metcalf Surv.

Note - It is Conceded on all sides, that this Land Continues on, from the last visible peaks mentioned in the above Notes, until it intersects Waiehu Valley - the distance and number of Acres of which it would be next to impossible to get at. J. Metcalf

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Costs. Adjudication of Cl. No. 781. Apt. 1 Hilo

To Incidental expences of Commission &c		1
Action of Comm'r 21 Aug. 1849 on Bench		1
Cl. dep: of Cl. reduced	p2	1
Engrossg. Copy of Survey by J. Metcalf	p.8	4
Report of Commissioners this day rendered in the above Claim		5
		12

Wm L. Lee

S. K. Smith

Hale Koona

21 August 1849

D. Kaauwai

Recorded

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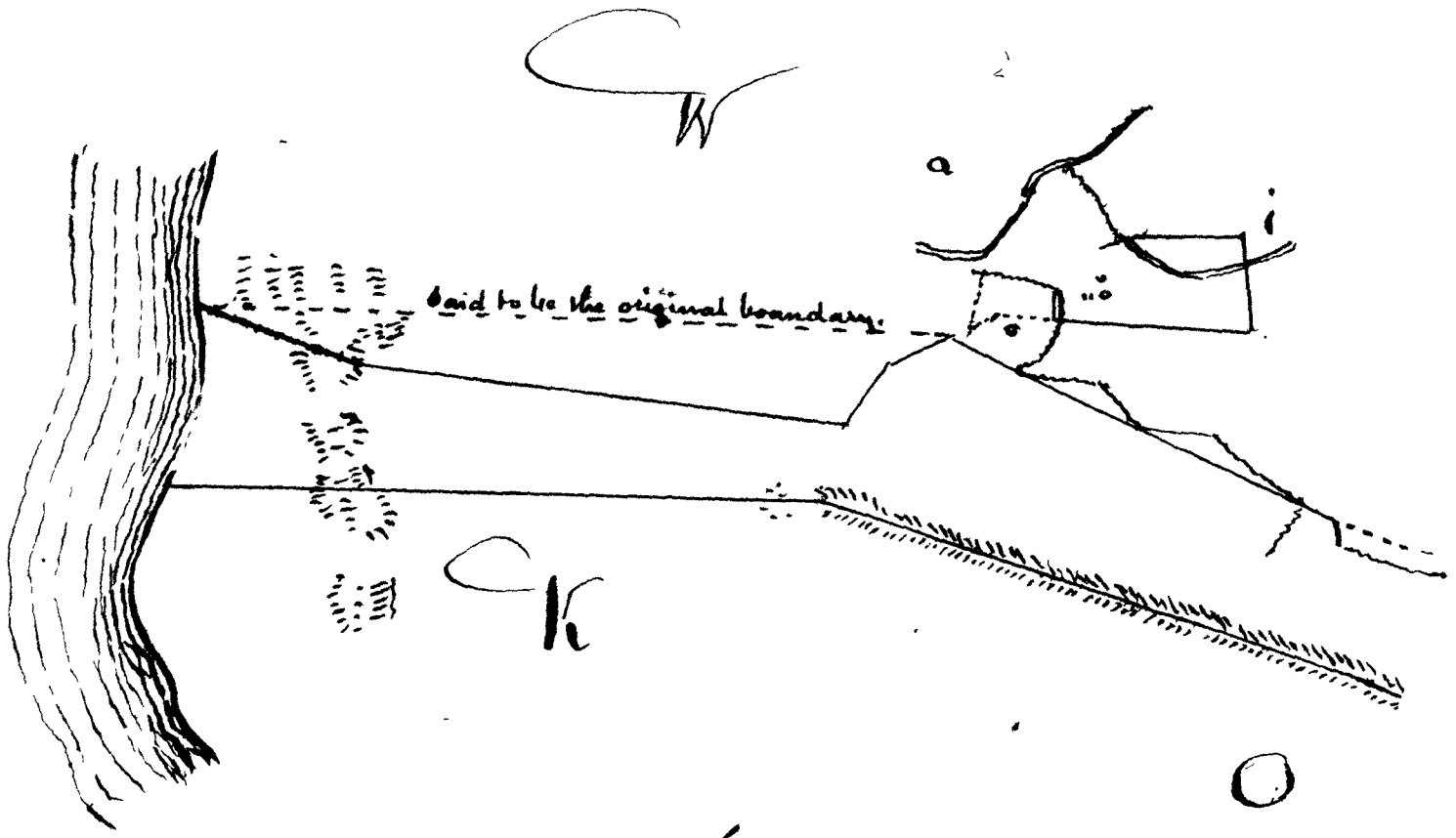
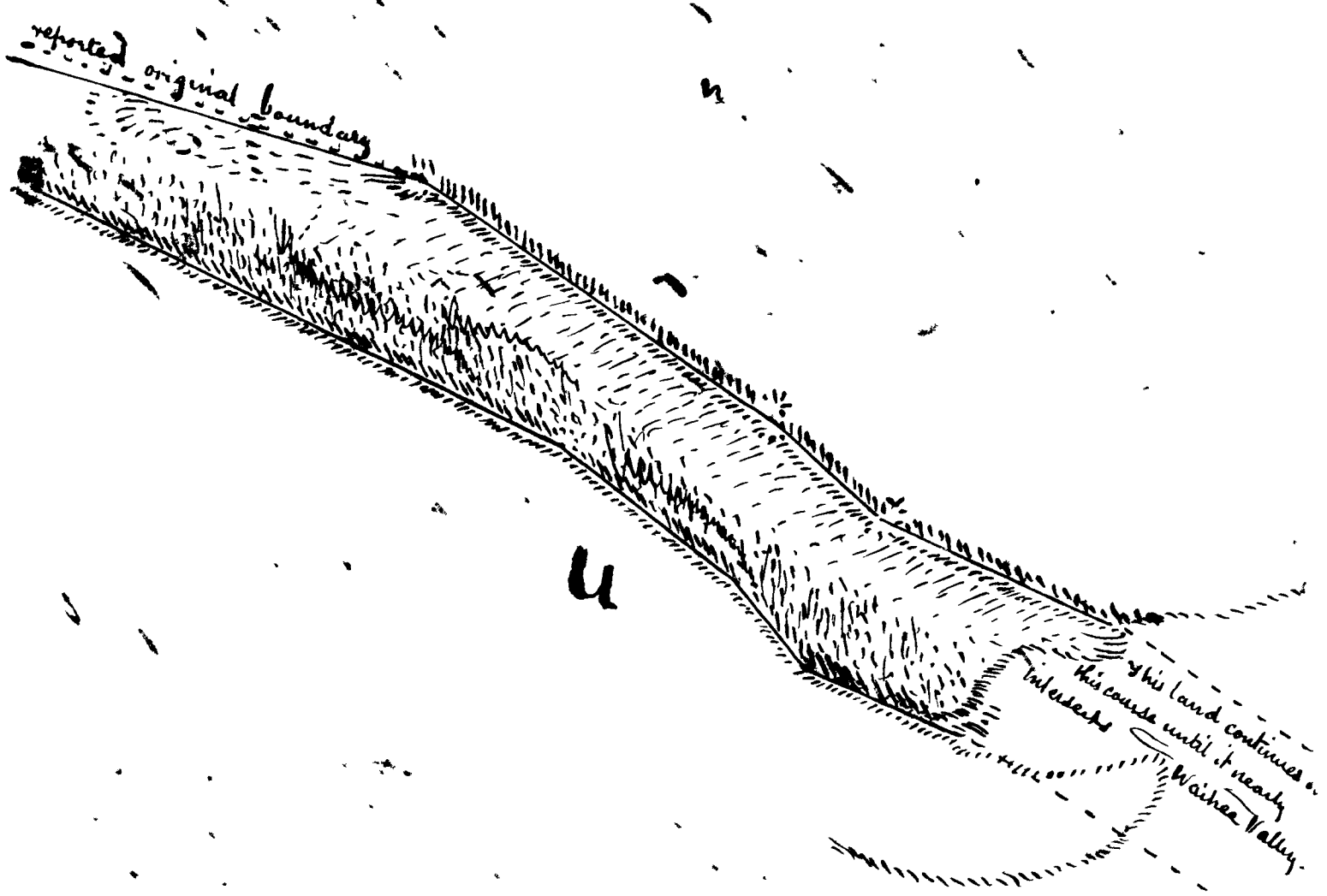
Claim NC 781.



St. St. Birch


e
h
reported original boundary
n
4
This land continues this course until it nearly intersects Waihaa Valley.

024

C. N° 511. J. J. Parker.

This is a Claim for two ilis of Land in the District of Kohala on the Island of Hawaii, known by the names of "Makanaka" & "Ahulanichi".

These Lands were Conveyed to the Claimant on the 1st of January 1843 by Kamehameha III and the late Premier Keaukuohi; to have and to hold, to him and his Hawaiian born heirs for ever; upon the Condition, that he should never transfer said lot to any Alien or non-resident of the Hawaiian Islands.

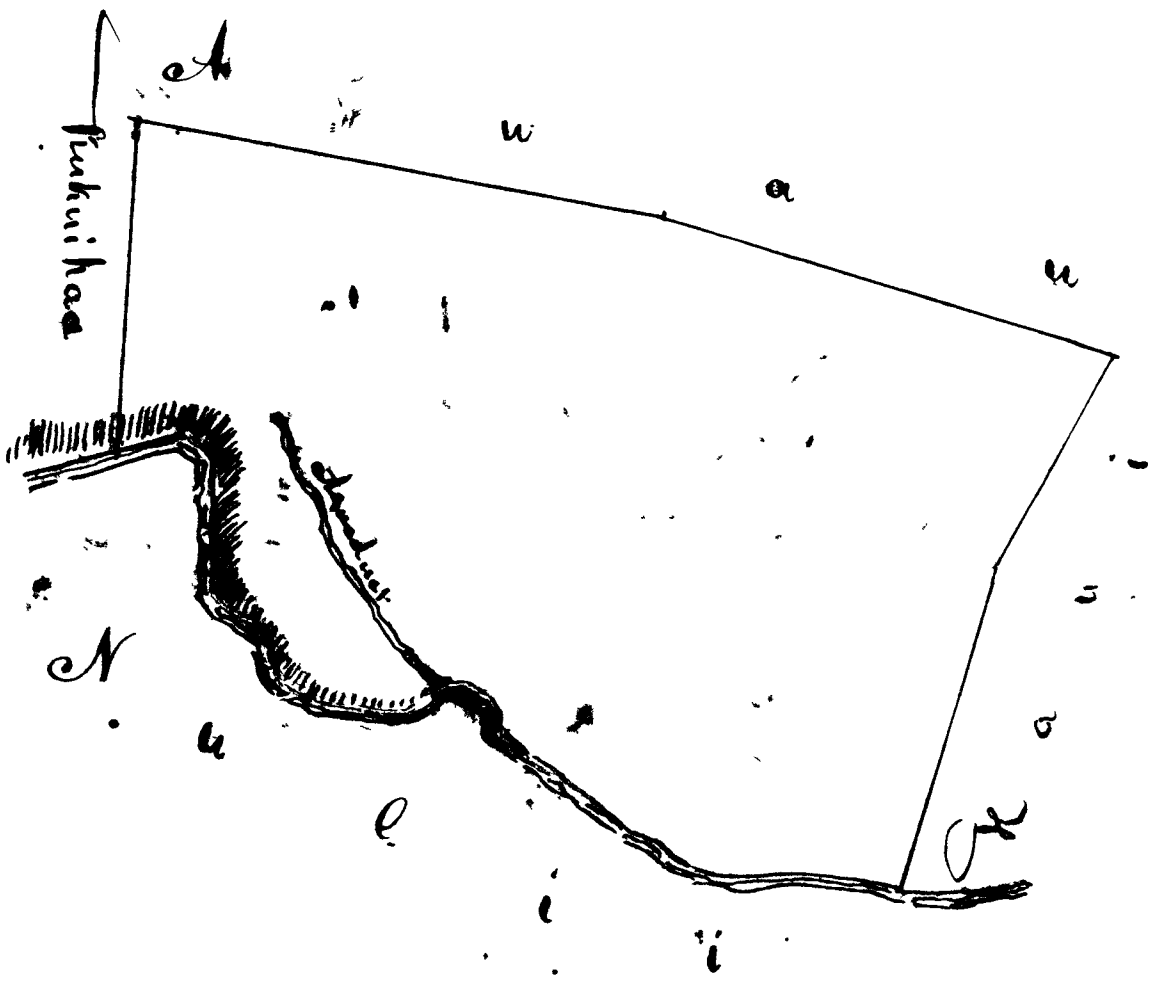
This is equivalent to a fee-simple title; and We do hereby Award to J. J. Parker, and his hawaiian born heirs said lands, according to the Metes and bounds of the annexed Survey, to have and to hold for Ever; Subject only to the Condition expressed in the deed from the King and late Premier - Viz - That said Land shall never be transferred to any Alien, or non-resident of the Hawaiian Islands.

"Makanaka" in Waiapuka.

"Commencing at Kala bush at N.E. Corner of this Land, joining Land Called Auau; And running N. 85° W. 7 Ch. along Land Called Kukuihae to Nene Stream by falls. Then following along up middle of Nene Stream to large Rock marked + on E. edge to Land Called Kavi. the mauka S.W. Corner of this - Thence S. 71° 15' E. 7 Ch. 20½ Lks. along Kavi to stake angle. Thence S. 60° 5 Ch. 41½ Lks. along Kavi to pile Stones at S.E. Corner of this Land. Thence N. 17° 15' E. 3½ Ch. along Auau to stake angle. Thence N. 20° 15' E. 6 Ch. 43 Lk. to Rock marked +. angle. Then direct to place of Commencement - Including an area of 21 acres 7/10

April 18. 1849

T. Metcalf Jun.

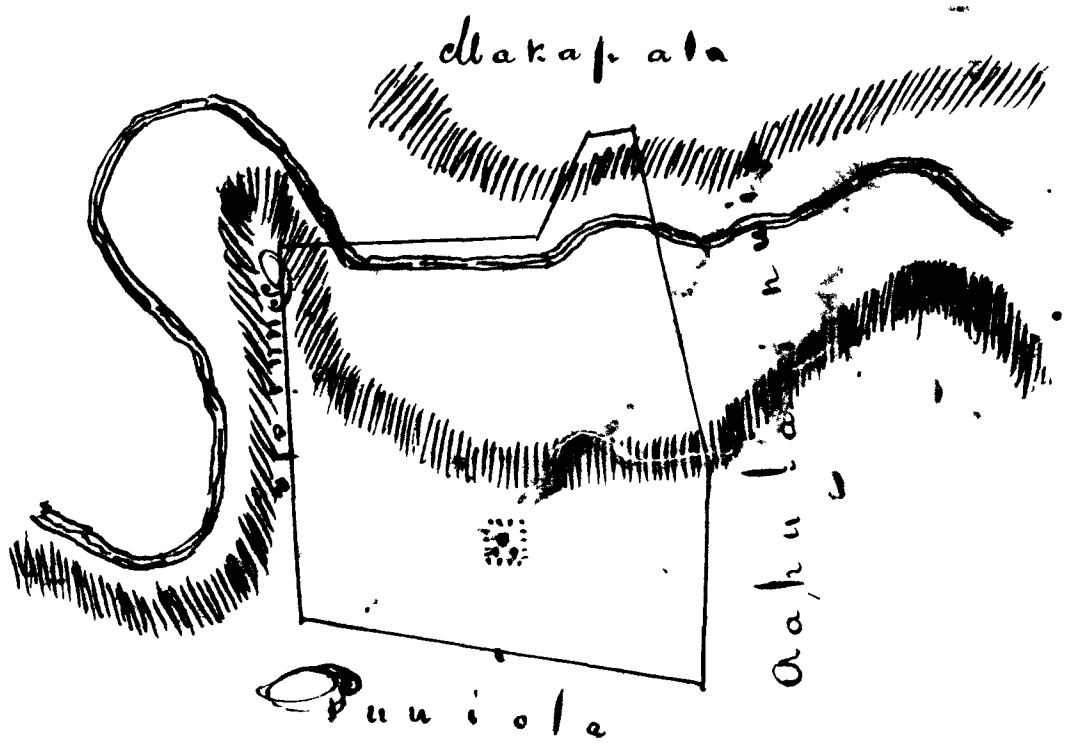


"Ahulanichi" in Oamakau. Kohala.

"Commencing at Rock marked + at Makai N.E. corner of this land on Le Alanai, and running S. 85° 45' W. 7 Ch. 60 8/12 ft. along land called Puniole to stake at N.W. corner of this land. Thence S. 10° W. 8 Ch. 47½ ft. along Puniole nui to stake at mauka S.W. Corner this land. Thence S. 87° 30' E. 5 Ch. 41½ ft. along Ahulani nui to stake on top of W. bank of River- angle. Thence N. 75° 45 E. 7 Ch. 18 1/2 ft. across River, up to stake on E. bank at mauka S.E. Corner this land. Thence N. 7° 30' W. 1 Ch. along Makapala to stake- Corner. Thence N. 69° 30' W. 2 Ch. 39 7/12 ft. down to large Rock marked + on E. edge of stream. Thence

426

N. 1.° 45 W 5 90 Ch. to place of Commencement
Including an area of Acres 8 1/10
April 18. 1849. J. Metcalf Sur.



Costs. Adjudication of Cl. 541. J. P. Parker Esq.

To Incidental Expences & of Com.rs		1
Action of Commrs & Clk 8th Aug. 10. 1849		1
Reducing ds. desp. of Claim	3	1 50
Two Surveys of J. Metcalf		20
Engrossg. Copy of Same		2 50
Report of Commissioners this day rendered on the above Claim		50
		31

Wm L. Lee
J. H. Smith
D. Kuaiwai
Commrs

Hale Hoona
10 August 1849

L. N° 2342. James Ruddocks

This is a Claim for a piece of land situated in Nuuanu Valley Island of Oahu, and included in a land designated "Laimi," which it is stated by the Claimant he obtained from Kekauluohi, late Premier, about the Year 1831, in exchange for a Valuable horse.

On 19th of March 1849 this case was taken up for investigation, when it appeared there were several Counter Claimants to the same: the principal ones being Governor Kekuanaoa and Paki. Mr Ruddocks voluntarily offered to relinquish all Claim to the land on the North side of the Road, provided the Counter Claimants would relinquish their Claim to the large portion on the South side of said road. After much persuasion, the Board has prevailed on the Counter Claimants to settle this vexed case in that way; and We do therefore sustain the Claim of James Ruddocks to that piece of Land designated as "Laimi" as described in the annexed Survey; Confirming to him according to said Survey, an area of 12. Acres 31/100 which still exceeds his own Estimate in his original Claim by more than two acres.

Upon the Special application of the President of the Board of Land Commission to the Privy Council that a fee-simple title might be allowed in the present instance. We are empowered accordingly, and do therefore Award to James Ruddocks and his Hawaiian born heirs, to have and to hold for Ever, that portion of land within the land designated, "Laimi", According to the Metes and Bounds described in the annexed Survey of S. Metcalf, dated 21 March 1849- on the Condition that said land shall never be transferred to any Alien, or non-resident of the Hawaiian Islands.

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"Notes of Survey of James Ruddocks Lands of Laimi in Nuuanu Valley".

"Commencing at Rock marked + on W. edge of Nuuanu River, joining Kawaiolena (& Pakei) and Running S. 70°. 45' W. 52 8/12 ft. up to Stake on top of River bank (near Ruddocks House) Thence N. 45°. 45' W. 5 Ch. 21 10/12 ft. along row of kiawe trees to main road. Thence along Road (makai) to Onionokoiwiu Corner of Stone Wall. Thence S. 43°. E. 3 Ch. 45 2/12 ft. along Onionokoiwiu to angle of Wall. Thence S. 18°. 15' E. 4 Ch. 44 3/12 ft. to angle of Wall. Thence S. 25°. 30 E. 42 3/12 ft. to angle of Wall. Thence S. 51°. 45' E. 1 Ch. 35 8/12 ft. to Bank of River. Thence S. 46°. 45' E. 2 Ch. 21 4/12 ft. across River to angle Thence S. 12°. 30' E. 1 Ch. 36 4/12 ft. along Wall to angle. Thence S. 84°. 45' E. 2 1/4 Ch. to Pole always along Onionokoiwiu. to S. Booth (Haili) Thence along Haili 12 3/4 Ch. to E. Corner of this. Thence N. 52°. 30' W. 12 Ch along small piece of Land between this and S. Phillips (Kaumeoh) called Laimi to River. Then along down River to place Commencement.

Including an area of Acres 12 31/100

March 21st 1849. J. Metcalf Sur

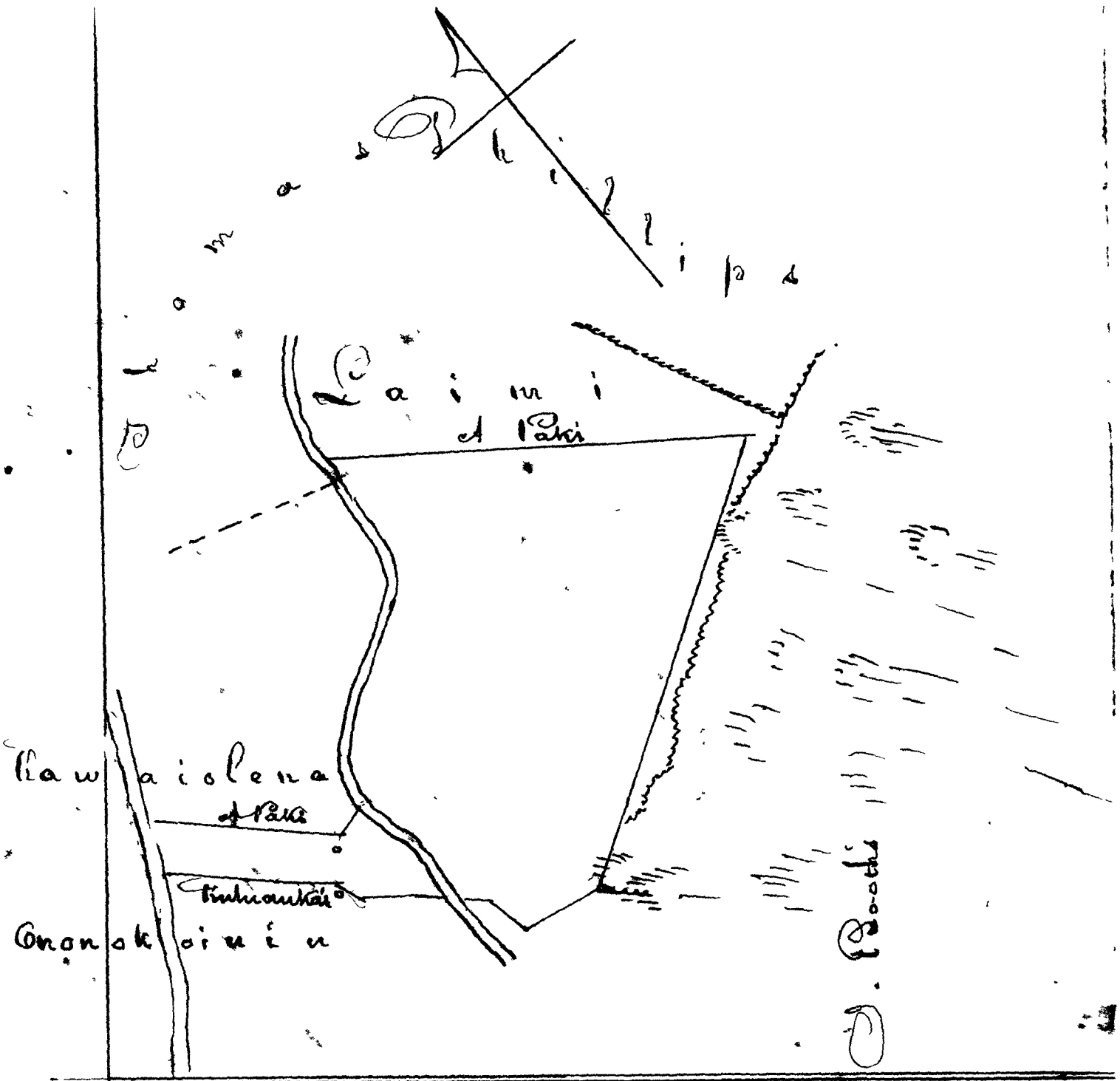
Correct Copy W.R.S. Les B.L.

"I Andrew Auld the duly authorized Agent of James Ruddock do hereby acknowledge; that I have this day received from the Board of Land Commissioners to quiet Land Titles in the Hawaiian Islands, the Award of said Board to James Ruddock for his land situated in Nuuanu Valley Island of Oahu, Conveying the same to the said Ruddock & his Hawaiian heirs in fee-simple: which Award is Entirely satisfactory; and in accordance with Mr. Ruddocks wishes, as expressed before the Board on 1st day of May last.

Honolulu September 10th 1849 Signed Andw Auld Agent to James Ruddock

Witness W Smith Les. B.L.

639



Costs. Adjudication of C. N.° 2342. James Puddock Jr.

To Incidental Expences &c of Commission for Claim.ts		1
Action of Commission on 19th March 1849		1
~~Citation 50.cts~~ & draft depos.ns of C. to deduce &c	f. 2	1 50
Draft Testimony ved.a &eng.d 19 March & 1 May 1849	f 8.	6
Survey of S. Metcalf		10
Engrossing do	f 3	1 50
Report of Commissioners on the above claim this day rendered		5
		26

Wm L. Lee
I. H. Smith
D. Kaauwai
Lonoaoli

Kaleohoona
8th September 1849.

670

Helu 193. Lewis Rees from Page 534.

Nolaila ke hooko aku nei makou i kuia ana ia Lewis Rees ma ke kumu like, a me ke ano like ana i loaa i mai a Manuia mai, oia hoi keia. Ke hooko nei makou ia ia i kela Apana ame malalo kahi ana i noho ai oia, a mamua ua hoopuniia e ka pa, e ua kapaia ka inoa o Alalena, inana no e noho nana no e hoopaa, a me kona mau hoolima, a me kona puu hope a mau loa. Aole nae e kanalua ai, o ka haawi ana o kua wahi malalo, ua pili i ke kuleana malalo o ke kuleana Alodio no Rees. Aka no ka ae ana mai. o ka Moi, a me ka puu kukahuka Malu Nolaila, ke hooko aku nei makou ia ia i kuleana Alodio.

A ke hooko hou aku nei makou i ua Lewis Rees nei, a me kona mau hoolima, a me kona puu hope, e noho, a ai i ke aina kula oia ka aina maluna i kapaia o Hoaeae, ia ia o. e hoopaa, a e noho ma ia wahi a mau loa, a ma keia ano hoi; penei. Ua Rees, a o kona hoolima paha, a o kona hope, e hoike mai ma ka palapala i kela ma-kahiki, kuia makahiki i na hoolima, i ka puu hope paha o Namau, i na uku makahiki, a me na waiwai a pau i loaa mai no kela aina maluna, a e hookaa no i kela makahiki, kuia makahiki i na hoolima, a i ka puu hope paha o Namau, i hookahi kapalua o na uku makahiki, a me na waiwai a pau.

O ka hookaa mua ana e loaia no ia i ka pau ana o ka makahiki hookahi mai ka la aku o ke kakau ana o kuia palapala hoko.

E ai hoi ke ano o kuia palapala hoko, ina aole e hoike mai o Rees, a me kona mau hoolima, a me kona mau hope paha i ka palapala waiwai makahiki. aole hoi e hookaa e like me ka mea i olelo maluna, alaila pau ke kuleana o ua Rees nei, a me ko kona mau hoolima, a me kona puu hope paha, aole ona kuleana hou i na aina kula ia, a e hoi hoi no ia ia Namau, a me kona mau hoolima, a me kona puu hope.

Hale Kauwila Honolulu,
15 February 1849

Ua hoopaa ia mai ka olelo hoole mai e Mr Brewer.
M. L. Andrews Translater from original English.

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